

DULY SWORN ON: 29-10-2025

CROSS-EXAMINATION BY Sri. PKA THE COUNSEL FOR Defendant No. 4:

Apart from real estate, Plaintiff is in construction business and also running factory of Hume Pipe.

2. I do not remember the date, but Defendant No. 1 approached in 2021. It is false to suggest that defendant No. 1 did not approach plaintiff and on the other hand it was plaintiff who approached D1. If I am asked whether plaintiff did legal scrutiny of the title before purchasing the property, I say the defendant gave the documents and we got it checked with our lawyer. Again, witness says they gave the documents, but the documents were checked by defendant's lawyer and not our lawyer. It is true to suggest that only after the documents were checked, we paid the advance amount. Without consulting our lawyer, we have paid a sum of Rs. 2 crores to the defendants.

3. **Question**, I suggest to you that sum of Rs. 2 crores is too substantial amount to be given without title scrutiny from our side and by our lawyer.

Answer, the defendants represented that they have clear title and believing them we paid the money.

4. We were not acquainted with the defendants, prior to this transaction. , witness volunteers, we came to know the defendant only in the year 2021. I say that only on the words and believing the defendants, we have paid the sum of Rs. 2 crores. Witness volunteers, we paid the amount in good faith. If I am asked whether I am aware of the sale deed in favor of the defendants under which defendants purchased the property, I say they showed it to me. If I am asked whether I am aware that defendants purchased the property for Rs. 7.48 crores, I say I am aware that they purchased 39.5 guntas for Rs. 7.48 crores and they agreed to sell 12.5 guntas out of that to the plaintiff for Rs. 6.3 crores.

5. If I am asked whether on seeing the sale deed in favor of the defendants and seeing various litigations and WPs mentioned there, whether I verified regarding the said Wps and litigations, I say the defendants gave a confirmation to me that everything is ok.

6. **Question** : did you find it suspicious that defendants were selling the property for less than the market value?

Answer: they were in fact selling it for three times more than the market value.

7.If I am asked whether we are okay for purchasing the property for three times the market value, I say we agreed to the said price. If I am asked whether I can produce any document to show the financial readiness of the plaintiff to complete the sale transaction by paying the balance amount, I say, question of paying balance amount would arise if they furnished the khata and since they did not furnish the khata, the question of paying balance amount never arose. If I am asked whether I checked the khata before paying the advance amount, I say, I checked and it was single khata for entire 39.5 guntas, but now I do not remember in whose name the said khata was standing.

8.If I am asked what is the financial loss we underwent due to delay, I say we could have invested the same amount in some other work or project and we could have made profit. I visited the property before paying the advance amount.I do not remember the date. When I visited, the property was vacant land. It is false to suggest that I am deposing falsely that I visited the property.

9.If I am asked whether I have any messages or WhatsApp communication to show the delay on the part of the defendants to complete the transaction as alleged by me, I say they told me over telephone and I have not recorded the same and now since it is too old, I cannot produce the SMS and WhatsApp. I have to check whether there is any SMS or WhatsApp communication to show the delay on the part of the defendants. I am not aware of the legal necessities of the defendants for which they wanted to sell the property as stated in the sale agreement. I did not verify about the legal necessity of the defendants for selling the property.

10. Apart from this suit, I have not filed any other suit against the defendant, such as for cancellation of the sale agreement. Apart from this suit, I have not filed any police complaint against the defendants. It is false to suggest that the reason why we did not do legal scrutiny and legal verification is because we were aware of the litigation.If I am asked what was the reason told by the defendants for delaying the completion of the transaction, I say they went on postponing in respect of getting the khata. It is false to suggest that although I was aware about the pending

original suit, we have entered into the sale agreement. It is false to suggest that although I have got the legal scrutiny done through my lawyer, I am suppressing the same.

11. If I am asked whether for all other projects we do not do legal scrutiny and directly enter into sale agreement, I say this is our first project in Bangalore and therefore we trusted the defendants. It is false to suggest that it is because we were aware of the litigation that we entered into sale agreement thinking that we are getting the property for a good price. It is false to suggest that the delay was not on the part of the defendants and delay was because we could not arrange balance sale consideration.

12. It is false to suggest that I have deposed falsely that there was delay on the part of the defendants and for this reason I am unable to produce any WhatsApp communications.

At this stage, further cross-examination deferred at request, but considering that, on the previous date also adjournment was sought, today further cross-examination deferred, subject to additional cost of Rs. 1000.

**(Computerized to my dictation in the Open Court as deposed
by the Witness)**

R.O.I.& A.C,

(SUDINDRANATH.S.)

LXXXIII ADDL. CITY CIVIL & SESSIONS JUDGE,
BENGALURU.