

**DATED: 28.01.2025 PW.1 PRESENT AND OATH IS ADMINISTERED.**

**CROSS EXAMINATION BY Smt.K.S ADVOCATE FOR DEFENDANT:**

9. The plaintiff Smt.Chandramathi my wife. Except knee pain she has no other health issue. She cannot travel due to her knee pain. It is true to suggest that Smt.Chandramathi was appearing before the court in the first 2-3 hearings. It is not true to suggest that though my wife Smt.Chandramathi is keeping good health I intentionally avoided her to appear before the court. My wife is a housewife. I am doing construction business. My wife is possessing lands in her name, she has agriculture income and she is also doing business and deriving money for her business. My wife is my partner in my construction business. The Plaintiff has not produced any documents to show that she is also one of the partners of the construction business. My wife is an Income Tax Assessee. The defendants are my distinct relatives. We are acquainted with the defendants from somewhere 2002-2003.

10. It is true to suggest that there was a real estate

business relationship between myself and defendant No.1 Sahadeva Raju. It is not true to suggest that there was no business relationship between my wife and defendant No.1. It is true to suggest that there is no signatures of plaintiff and defendants on the first page of the MOU. On different occasions between 2003-2010 my wife Smt.Chandramathi has paid money to the defendant No.1. In the MOU the defendant No.1 has acknowledged the outstanding dues of Rs.33,00,000/-. In between 2010-2020 there were no business transactions between my wife and defendants. I further say that in between 2010-2020 the defendant No.1 has paid certain amount on one occasion. Somewhere in 2016-17 the defendant No.1 had paid some amount. There is no written document for having received money from the defendant No.1. The plaintiff has not mentioned the debts of defendants in her IT returns. The plaintiff has not maintained any account book to show that she has made payments to the defendants. It is not true to suggest that the plaintiff had no income and therefore, she has not invested any money with the defendant No.1. Within 3 months from

22.09.2017 the plaintiff has not issued demand notice to the defendants but we orally demanded them to pay money. In 2017 the wife of defendant No1 was suffering from cancer and therefore, we could not pressurize the defendants to pay the dues.

**11.** The MOU was executed at Singanayakanhalli. My wife has paid money to the defendants at Amalapuram, East Godhavari District, Andhra Pradesh, Ravulapaleam, East Godhavari District, Hyderabad and also at Bengaluru. I have no remember that how much of amount the defendant has paid on the aforesaid places. It is not true to suggest that the first page of the MOU is created. It is not true to suggest that the second and third page of the MOU is created one. My advocate Sri.Fayaz Ahamed drafted the MOU in the presence of myself, defendant No.2 and my son. Myself, my son and defendant No.2 went to the office of our advocate and instructed him to prepare the draft of MOU. As per the terms settled between us we instructed to prepare the draft. It is not true to suggest that defendant No.2 was not present in the office my advocate while preparing the draft. It is true to

suggest that the Smt.Chandramathi was not present in the office of the advocate while preparing the draft.

(Upon the request of counsel for the defendant further cross examination deferred)

(Typed to my dictation in the open court.)

R O I & A C

**(JITHENDRANATH C.S.)  
LXXXVI ACC & SJ, BENGALURU.**