

Witness present and duly sworn on 27.01.2026.

Cross examination by Sri.US advocate for the defendant:-

3. I have power of attorney of plaintiff bank to depose in this case. It is true that defendant is not the original borrower. It is true to suggest that none of the

documents produced by me are signed by defendant. It is true to suggest that suit loan account does not pertain to defendant. It is true to suggest that defendant has not signed any guarantor documents of suit loan. Witness volunteers, being Govt servant of BSNL, he did not sign any such documents. It is true to suggest that defendant has not signed any acknowledgment of debt or letter of revival in respect of suit loan. This account became NPA in the year 2024. We had brought the aspect of irregularity of the payment of loan dues to concerned borrower. We had issued loan recall notice to borrower. We had not initiated steps U/Sec.13(2) of SARFAESI Act. Witness volunteers, in the meanwhile the borrower expired.

4. The original borrower has not given any document to plaintiff bank to show that defendant has also derived income from suit loan. Witness volunteers, original borrower had submitted her legal heir affidavit wherein defendant has been mentioned as her legal heir. I have not visited the house of borrower after her death, since it was not necessary. It is true to suggest that as per general practice, after knowing death of borrower, the concerned Manager is required to visit their legal heirs, he should console them and he should get

acknowledgment of death from such Legal heirs. Witness volunteers, we were not even aware about death of borrower until defendant handed over her Death certificate to us. Witness remains salient to the question that, what steps was taken by him after non service of legal notice.

Re-examination: Nil.

(Typed to my dictation in the open court)

R.O.I & A.C.,

(ANAND T. CHAVAN)
LXXXIV Addl. City Civil & Sessions Judge,
(CCH-85) Commercial Court, Bengaluru