

WITNESS CALLED AND DULY SWORN ON 09.09.2024.**FURTHER CROSS EXAMINATION BY SRI.L.D., ADVOCATE FOR THE DEFENDANT:-**

22. I don't make any effort to know when and what circumstances said photograph was taken. Advocate for Defendant confronted the Ex.P.6 - photographs and suggested that, this photographs are pertaining to discussion between Me and Ganesh Shanbhogue. Witness denied the suggestion. It is false to suggest that, during the coarse of project, we had several conversations in between Me and Ganesh Shanbhogue.

23. It is false to suggest that, I am using the same Mobile number from the inception of project to till today. Advocate for Defendant confronted the Audio sound, witness stated that, he cannot identify the voice. It is false to suggest that, I am using the Mobile number: 9845218432 from the date of inception of project to till today. I was using the said mobile number a long back. Still I am using the Mobile number: 9731777870. It is false to suggest that, I have called several times to the Ganesh Shanbhogue through above said Mobile numbers.

24. It is false to suggest that, Ganesh Shanbhogue was completed the work in the year 2015-16. It is false to suggest that, after 2015-16 to till issuing the work order produced before this Court, I have not carried out any works in the project site. It is false to suggest that, though I have not carried out any work and not produced any documents, I am deposing falsely. It is false to

suggest that, after 2015-16, since no body has maintained the project site, so Weeds, Unwanted plants, Vegetation were grown in the project site. It is false to suggest that, Park also in bad condition due to natural calamities.

25. It is true to suggest that, The project site was not Even land we have developed the Land by leveling the small hills. It is false to suggest that, even today if raining, the Mud will flow from highest point towards lowest point. It is true to suggest that, Lake is situated at western side of the project site. It is false to suggest that, whenever the Rains, all the Water will flow from Eastern to Western side.

26. It is false to suggest that, for the first time on 02.04.2021, we had carried out the work of cleaning like manually removing the Vegetation, cleaning the Rain Water Drainage, we have not produced the document pertaining to earlier cleaning work at project site. The said documents are in my custody. We had produced the Ex.P.23, showing that, on 12.11.2018 we had carried the work of cleaning footpaths, we have the document pertaining to earlier cleaning work of footpaths at project site.

27. It is true to suggest that, Ex.P.27, 31, 35, 38, 42, 45 are pertains to Play ground and Parks. It is true to suggest that, description of work order at Ex.P.21, 31, 35, 38, 42, 45 are not referred in MOU at Ex.P.2 and 3. It is true to suggest that, in description of work order at Ex.P.21, 31, 35, 38, 42, 45 are not referred in Ex.P.7 – Compromise petition filed in A.C.No.135/2015.

It is true to suggest that, in description of work order at Ex.P.21, 31, 35, 38, 42, 45 are not referred in Ex.P.6. It is true to suggest that, in Compromise petition of A.C.No.135/2015 at Ex.P.7, I have agreed that, when the Defendant commenced the Electrical work, we will make payment in installments as per the progress of the Work.

28. It is false to suggest that, we have not made any payments towards Electrical works to the Defendant. We do not have separate documents to shows that, we have made payment towards Electrical work. It is false to suggest that, Except Rs.20.00lakhs advance amount paid during compromise at Ex.P.7, we have not made any payments. It is false to suggest that, after the compromise, we have not paid Rs.10.00lakhs and I am deposing falsely.

29. It is true to suggest that, work order issued in respect of Electrical work is not related to Ganesh Shanbhogue. It is false to suggest that, Ex.P.18 to 75 are not concerning Ganesh Shanbhogue, only it is created for the purpose of False claim.

Question: Even today in the project site, Vegetation and Weeds are growing ?

Answer: Due to Raining it was growing.

30. It is false to suggest that, all the sites were sold.

Question: The Parks and Playgrounds are not maintained and it is not in usable condition as on today ?

Answer: It is false. Witness stated, I have not visited the project site recently.

It is false to suggest that, Defendant is not liable to pay the suit claim amount and I have not acted best interest of society and deposing falsely.

RE-EXAMINATION : NIL

(Typed to my dictation in open court.)

R.O.I & A.C.,

sd/-

(SUMANGALA S. BASAVANNOUR)
LXXXII ADDL. CITY CIVIL & SESSIONS JUDGE,
BENGALURU.