<u>Witness is called and duly sworn on 06.08.2026</u>

<u>Cross examination by Sri C.B.A Advocate on behalf of the defendant:</u>

I have been serving as a Manager in the plaintiff branch since last 2 years. I had 15 years service in the plaintiff Bank. I am serving as a recovery manager in the plaintiff Branch at present. I know the procedure for advancing the loan. I know the facts relating to the suit loan transactions. Defendant borrowed working capital loan from our branch. Working capital loan is also called as Cash Credit Loan. Defendant has filed application for loan on 25.02.2022. I do not have personal knowledge as to who has accompanied the defendant for filing the loan application. I know about the loan terms and conditions. The loan borrowed by the defendant would have been repaid within 1 year. We have sanctioned the loan on the same day of he filing the loan application. It is false to suggest that on 25.02.2022 defendant was not the customer of our Bank. When it was suggested to the witness that, his Bank account was opened on 03.03.2022, witness said that, it was SB Account.

2. When a statement of account is shown to the witness he admitted that, it is the account extract of the defendant;s loan account. Said statement of account is marked as per Ex.D.1. It is true that as per Ex.D.1 on 28.02.2022 an amount of Rs. 9,89,000/- was transferred to the Bank account of Renukaraj Textiles. It is true that, one Shobha Basapure is the owner of Renukaraj Textiles. It is true that one Nirajkumar was working in our Bank when the loan was advanced to the defendant. He was incharge of loan section and dealing with receiving of loan application and sanctioning of loan. I do not know that on 25.02.2022 defendant, above said Sobha Basapure and her husband met Sri. Nirajkumar to borrow the loan. It is true that Renukaraj Textiles is having financial transactions with our Bank since many years. It is true that, before the present loan transactions defendant was not having any transactions with our Bank. I do not know that this defendant was not in need of any loan and he accompanied Smt. Shobha Basapure and her husband for they borrowing the loan from the plaintiff Bank. I do not know that our Bank official

Nirajkumar was having cordial relationship with Smt. Shobha Basapure and her husband, because of they having financial transactions since many years.

3. There is no need for placing the loan application before our higher officials and get the loan sanctioned before releasing the loan amount. It is true that loan sanction order has to be communicated to the borrower of the loan. It is false to suggest that we have not given any such loan sanction letter to the defendant. It is false to suggest that we have not produced the loan sanction letter before this court. We have not obtained any security and mortgage from this defendant while advancing the loan to him.

4. It is true that defendant filed the loan application in the name of Mahalaxmi Textiles which is owned by him. I do not know that said Mahalaxmi Textiles is in the name of wife of the defendant. I do not know that the defendant is only a worker in said Mahalaxmi Textiles. I do not know that Smt. Shobha Basapure and our Bank official Nirajkumar have played fraud on this defendant and obtained his

signature for loan papers. It is true that immediately loan amount was transferred to the Bank account of Renukaraj Textiles. It is false to suggest that Ex.P.12 legal notice was not served upon this defendant. It is false to suggest that only after receiving the suit summons from this court defendant came to know that said Shobha Basapure and Nirajkumar have played fraud on him. Said Nirajkumar is presently working in Kalburgi. It is false to suggest that said Nirajkumar was transferred on the basis of the allegations made against him with regard to he transferring the loan amount and playing fraud. I do not know that after receiving the suit summons the defendant has met said Nirajkumar who assured him that they will not be recovering the loan amount from him. It is false to suggest that I had the knowledge of similar other instances taken place during the period of said Nirajkumar working in our Branch.

5. It is false to suggest that we have transferred amount to the Bank account of Renukaraj Textiles without the consent of this defendant. We have not produced any documents to show that defendant has

given consent to transfer amount to the Bank account of Renukaraj Textiles. It is false to suggest that since there are no such consent letters we have not produced the same before this court.

6. It is true that a firm called Galaxy Machinery is having transactions with our Branch. It is true that one Elango S is the Proprietor of the said firm. It is true that when Nirajkumar was working in our branch many loans were advanced to said firm. I do not know that Smt. Shobha Basapure and her husband have informed this defendant that loan borrowed in his name was given to the firm called Galaxy Machineries since said firm is under loss. It is false to suggest that our staff Nirajkumar was the mediator in between all these transactions. I do not know that a cheque for Rs. 13,80,000/- was given to this defendant by the Galaxy Machineries Pvt. Ltd., It is false to suggest that our staff Nirajkumar assured the defendant that his loan account will be closed after he receive the cheque from Galaxy Machineries.

7. I do not know that regarding the dishonour of the cheque issued by Galaxy Machineries defendant has registered 2 cheque bounces cases against them. It is false to suggest that defendant was not in need of any loan and in his name loan was borrowed by Galaxy Machineries, Renukaraj Textiles by colluding with our staff Nirajkumar. It is false to suggest that we have registered this false suit against the defendant on the basis of the created documents. It is false to suggest that defendant is not liable to repay the loan amount since he has not borrowed any loan from our Bank. It is false to suggest that by colluding with the Galaxy Machineries and Renukaraj Textiles we filed this false suit to recovery the amount illegally from this defendant.

Re-Examination: Nil.

(Typed to my dictation in the Open Court)

R.O.I.&A.C.

(Manjunath Nayak)
Prl. Dist.& Sessions Judge,
Belagavi.