

Order Sheet
In the Court Of: IV ADDL. CIVIL JUDGE AND JMFC BELAGAVI
AT BELGAUM
F.R.No:O.S./332/2011
Case Reg.No: O.S./1402/2011

Plaintiff

V E R S U S

Defendent

**1)KHUTEJABI WO. ABDULSALAM
CHONCHE &1 others**

**1)THE CITY CORPORATION
BELGAUM. &10 others**

**2)RAFIQ KHUTUBUDDIN INAMDAR
3)SHAFI SO. ABUDLMAJID DARGA
4)MOHAMMED ABDULMAJID DARGA
5)SHADAF SO. ABDULMAJID DARGA
6)MUKADAR SO. ABDULMAJID
DARGA
7)SHIKANDAR SO. ABDULMAJID
DARGA
8)NAFEESA DO. ABDULMAJID DARGA
9)MADINA DO ABDULMAJID DARGA
10)SAMINA DO. ABDULMAJID DARGA**

CROSS

Witness present and duly sworn on 23.04.2018

Cross Examination of P.W.2 by Shri.A.N.S., Learned advocate defendant
No.9, 11 and 12

Since 25 years I am staying in Tippu Sultan Nagar, Machhe,

Belagavi. Prior to that I was staying in Fort Road, Belagavi. I am running a poultry farm. I was having automobile business 25 years ago. Since 25 years I know Abdul Khatahsab Mujawar and Mohamadsadiq Khatahsab Mujawar. The Mujawar brothers called me to their house at Mujawar Galli, Belagavi. When I was running my business, the Mujawar brothers came to my shop and took me to their house. The Mujawar brothers wanted to gift their property in favour of some other person and hence they took me to their house in an auto rickshaw which took 15 minutes to reach their house. When I reached their house, myself, the Mujawar brothers, plaintiff and her husband and Mr. Ibrahim Chonche were present. After the gift procedure all of us went to the suit property and the plaintiff was put in physical possession of the suit schedule property. Since the suit property was an open land, no person objected to put plaintiff in actual possession of suit property. It is false to suggest that since 1945 there is a tiled roof house in the suit property. The gifted property to the plaintiff No.1 bears No.4817/26. As told by the Mujawar brothers I know the number of suit property. Myself and Mr. Ibrahim Chonche were witnesses to the gift procedure. I have not signed on any document as a witness. I do not have any document to show that I have signed as witness to the gift procedure. Suit property measures 65 X 95 feet. After taking the measurement of the suit property all of us went back to our house. On the next day of handing over the possession of suit property the gift deed got prepared on the subsequent day. Gift deed was

prepared in the office of Typist Mr.Mulla at Shaniwar Khoot, Belagavi. We went to the typist at 11.00 A.M. and the typist prepared the bond of gift. On the said bond the Mujawar brothers and Sri. L.M. Patel, Advocate have put their signatures in the office of typist. There was no hurdle for me and for Mr. Ibrahimsab Chonche to put our signatures on the bond. After putting the signatures, the Mujawar brothers handed over the said bond to the plaintiff No.1 and thereafter we returned back to our house.

I cannot say the Survey number of suit property. It is true to suggest that Khatahsab Mujawar is the father of Mohamadsadiq Mujawar and Abdulkhadar Mujawar. Asadsab Mujawar is the father of Khatahsab Mujawar. It is true to suggest that in RTC records name of Asadsab Mujawar was appearing prior to the names of Khatahsab Mujawar, Mohamadsadiq Mujawar and Abdulkhadar Mujawar. I do not know the date of death of Asadsab Mujawar. I do not know whether name of Asadsab Mujawar was appearing in RTC records prior to 1970. I do not know since when name of Khatahsab Mujawar is being shown in RTC records. I do not know since when name of Mujawar brothers was being shown in RTC records. I saw the C.T.S extract in which names of Mujawar brothers were appearing. I have studied in Urdu medium till 10th standard. Except Urdu and Marathi I cannot read other languages fluently. The CTS records of Mujawar brothers was in Kannada

language.

Further cross deferred at request.

(Typed to my dictation in the open court)

R.O.I. & A.C.

Sd/-

IV Addl. Civil Judge & JMFC,
Belagavi