

Witness present and duly Sworn on 11.01.2023.

Cross examination of RW1 by Sri. BAN Advocate for petitioner.

1. It is true to suggest that CTS NO. 3957/158 and 3957/159 are in my possession from the date of its purchase till today. I have good relationship with my son and daughter in the year 2009,2010 and 2011. It is false to suggest that I have discussed the court matters with my son and daughter. It is true to suggest that my son and daughter are aware of the cases bearing numbers OS 893/1999, RA 47/2009, RSA 5557/2010, EP 938/2011 and EP 632/2011.

2. It is false to suggest that I was present in this court premises on 01.04.2011. It is false to suggest that I was present in front of the door of this court and listening the submissions of the petitioner No. 1 on 01.04.2011. It is false to suggest that I am deposing falsely that I was not present on 01.04.2011 in the court premise. It is true to suggest that I have executed the gift deed with respect to CTS No. 3442/1A 3442/1C 3442/1D 3957/158 and 3957/159 situated at Kaliambrai Belagavi before the sub register Belagavi. It is true to suggest that I have produced the said gift deed in this case. Now I see the copy of the gift deed produced by me. Since the

witness has identified the document, the same is marked as Ex.R1. It is false to suggest that I have executed Ex.R1 to avoid the attachment of the property covered in it and realization of the mesne profit.

3. It is false to suggest that generally the security deposit would be taken when premises are given to the tenants on the rent bases. It is false to suggest that in all the rent agreements, the increase in the rent in every year will be the condition imposed on the tenants. I cannot say as to whether the value of the immovable properties in Belagavi are decreased or not during the pandemic period. It is false to suggest that the present value of the rent per month of the petition premise is more than 65,000/- Per Month. It is false to suggest that the value of the rent of the petition premise in the year from 1999 upto 2011 is more than 45,000/-. I volunteer that there were many premises available for rent in cheap rate during the said period. I have not produced any documents to show that the premises having cheap rent less than Rs. 45,000/- Per Month were available during the said period.

4. It is false to suggest that petitioner had given me some proposals for settlement but I have not accepted them. It is false to suggest that the rent of the petition premise during the period from 1999 to 2011 was more than Rs. 45000/- Per Month and I am liable to pay it as mesne profit accordingly. It

is false to suggest that there was no necessary for me to execute the Ex.R1 in favour of my only son and my only daughter. It is false to suggest that Ex.R1 is executed to defraud the petitioners.

Cross of examination is deferred at the request of counsel for petitioner No. 2 to 5.

(Typed to my dictation in open court)

R.O.A & I.C.

Sd/-
Prl. Civil Judge & JMFC,
Belagavi.