

Witness duly sworn on 01-06-2023:
Cross Examination of PW.3 by defendant No.3 and
counsel for defendant No.6 to 12:

Sri. SKN Adv present and submitted no cross examination by the defendant No.3 and also by defendant No.6 to 12.

Cross Examination of PW.3 by defendant No.2 and 4
counsel Sri. VNP Advocate:

1. This suit is filed by the Ramesh and Mallappa respectively. (Since two cases are clubbed). To the question that why the suit came to be filed witness answer that this suit is filed claiming land which is purchased. I do not know to read and write. I do not know the contentions of chief examination affidavit filed by me. Witness voluntaries that there is quarrel between plaintiffs and defendants in respect of lands. I have also participated in the panchayat held between plaintiffs and defendants in respect of properties. In the panchayat father of the plaintiffs and defendants was also there. It is true that the dispute between the plaintiffs and defendants in respect of properties not resolved before the elders. It is false the suggest that, the land survey number

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mentioned in my chief examination affidavit are purchased by the defendant No.2 from his own income. Witness voluntaries that since father has given amount to defendant No.2 his has paid. I have not seen any document to say that the said amount was paid by the father. Witness voluntaries that I have seen the amount given by the father of plaintiffs and defendants. I do not know about the survey numbers of the lands. Witness voluntaries that, I have gone and participated in purchase of land measuring 6 acre and some guntas of land. I have seen the sale deed and also signed in the sale deed. It is false to suggest that, in the sale deed there is a mention that the consideration amount is paid by the income of defendant No.2 and from his wife's income. Consideration amount was paid in cash. I have not seen the consideration amount paid by the defendant No.2. The plaintiffs and defendants family has other 4 acres earlier lands excluding purchased lands. I do not know exact measurment of their joint family property. I do not know about the survey numbers of the lands.

2. plaintiffs and defendants have also cultivated the lands of others on lavani basis. I do not know the name of persons whose land they had cultivated. They are from our village only. I do not know the exact income of the family but they had 400 to 500 tonnes of sugar cane yield to their family. I do not know the exact names in whose name the sugar cane yield was transported. Witness voluntaries that it was between ther family member. It is false to suggest that, the joint family of plaintiffs and defendant has no property at all. I have not seen any document to say it is purchased by the joint family. Witness voluntaries that I have witnessed the said sale transaction. To the question that the person who pays consideration amount the sale deed will be held in his name, witness answer that father had paid the amount and defendant No.2 was elder son. Hence sale deed was executed in his name. Nearly 4 members have signed the sale deed. I do not remember the their names. It is false to suggest that I am deposing falsely by filing false chief examination affidavit. To the question that, the properties mentioned in your affidavit are purchased by the defendant

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No.2, he is the owner of the property and cultivating the same and in possession, witness voluntaries that, the said properties are in joint possession and cultivation of all the joint family members. To the question that since defendant No.2 and 4 are the owner and possessor of the above properties plaintiffs and other defendants have no right and share in the property, witness answer that since the documents stands in their name they would say so. It is false to suggest that, I am deposing falsely on the say of plaintiffs and defendant No.3.

Cross Examination of PW.3 by defendant No.5 counsel Sri. IBL Advocate:

Counsel adopts the cross examination of defendant No.2 to 4 counsel.

Re-examination: Nil.

(Typed to my dictation in the open Court)

R.O I & A.C

**Senior Civil Judge & JMFC
Khanapur**