

PW : 1

Witness present and duly Sworn on 04.06.2026

Cross examination by Sri. PS Advocate for respondent No.1 to 11:

1. To the suggestion that, Papagnimut was in existence since about 800 years, witness deposed that it was about 400 years. It is true to suggest that it is stated in my affidavit that the trust was established in the year-2002 and earlier to that there was no trust. To the question that did you obtained permission from Papagnimut to establish the trust, witness deposed that no such permission was obtained. It is true to suggest that I am not a member and trustee under Ex.P-1 trust deed. At the time of execution of amended trust deed as per Ex.P-2, I was member of the trust. It is false to suggest that you have not furnished any document regarding your membership and also elected as President of the trust. It is true to suggest that in the exhibits at Ex.P-1 to 9 no such documents are forthcoming.

2. It is true to suggest that my name is not forthcoming in the list of 11 members mentioned in the first page of Ex.P-2. It is true to suggest that my name is not forthcoming in the pamphlets marked at Ex.P-3. To the suggestion that in the pamphlet dated 09.07.2004 regarding 286th Worship Celebration Invitation Card my name is shown as President of Vishwakarma Sangha (ವಿಶ್ವಕರ್ಮ ಸಂಘ), witness deposed that under which it is also mentioned that Secretary Papagnimut. It is true to suggest that under Ex.P-1 and 2 deeds my name is not shown as Secretary Papagnimut.

3. It is true to suggest that in respect of bank account at Ex.P-4, no audit report has been submitted before the court. It is true to suggest that after establishment of trust as per Ex.P-1 and even after amendment of

trust deed as per Ex.P-2, no annual progress report and audit report are not submitted before the concerned authority of the government. It is true to suggest that Papagnimut has possessed both movable and immovable properties. It is true to suggest that documents pertaining to said movable and immovable properties of Papagnimut are not produced in this case. It is true to suggest that Papagnimut and Kashi Vishwanath (ಕಾಶಿ ವಿಶ್ವನಾಥ್) temple are one and the same.

4. It is true to suggest that in the year 2017-18 theft was committed in the Papagnimut. It is true to suggest that it was in my knowledge. To the question that did you file any complaint before the police in respect of theft, witness deposed that complaint was lodged by one Gagadhar Aachar who is the Priest(ಅರ್ಚಕರು) and I have given statement to the police. The name of Gangadhar Aachar as priest is mentioned in the pamphlet at Ex.P-3.

5. Sri N Henjarachari S/o K P Narayanachari mentioned at Sl. No.11 of Page No.3 of Ex.P-2 is none other than respondent No.5 in this case. It is true to suggest that resolution book and annual audit report maintained by the trust since 2015 is not submitted before the court. It is true to suggest that in connection with Papagnimut and properties two civil cases vide OS No.168/2023 and OS No.8/2024 as per Ex.P-8 and 9 are pending before the Civil Courts of Chikkaballapura. It is false to suggest that since 2015 resolution book of the trust are not produced in all the cases. It may be that one more suit is also filed in OS No.237/2023 on the file of Jr Civil Judge,

Chikkaballapura.

6. It is true to suggest that suit vide OS No.168/2023 as per Ex.P-8 is filed by me and others as members of Vishwakarma Sangh against one H S Ramacharya. It is true to suggest that suit vide OS No.8/2024 as per Ex.P-9 is filed by me and others as members in Papagnimut Charitable Trust. It is true to suggest that now the document shown to me is the copy of ordersheet and plaint in OS No.237/2023. Whrein suit has been filed by me and others as members of Vihswakarma Sangha. On admission of the witness said documents are totally marked as **Ex.D-1**. It is true to suggest that all the above three suits are pertaining to Papagnimut. Witness volunteers that the said suits are filed on different cause of actions for different reliefs.

7. Vishwakarma Sangha(R) and Papagnimut registered are not one and the same, rather different entities. To the suggestion that you have not pleaded in the plaint and also not furnished documents to show that since from which date you become the member of Papagnimut and trust, witness deposed that there is no document to show his membership in the Papagnimut but in the year 2015 he become the member of the trust. To the suggestion that you have not produced any document about obtaining of membership, witness deposed that it appears as per Ex.P-2. It is true to suggest that everyday worshipping of god is going in the in the temple of Papagnimut. It is true to suggest that Navaratri Utsav was regularly conducting in the Papagnimut. It is true to suggest that the said

*function was conducted in grand manner. It is false to suggest that I have not produced any photos for having celebrated Navaratri Utsav. To the question that can you show any photos at Ex.P-5 album, witness has shown one photo which is marked as **Ex.P-5(a)**.*

At this stage further cross is deferred at the request of learned counsel for respondent.

(Typed to my dictation in the Open Court)

R.O.I. & A.C.

Sd/-

(T. P. Ramalinge Gowda)
Prl. District and Sessions Judge,
Chikballapura.