

Witness duly sworn on 12.11.2025

Further examination-in-Chief by Advocate, for Defendant:

Authorization letter dated 24.09.2025 is marked as Ex.D.1.

I pray for dismissal of the suit.

Cross Examination by Sri.PKB, Advocate for Plaintiff:

I do not know as to how many people are authorized totally by the 2nd defendant to conduct the case. I was authorized on 29.09.2025 by the Chief Engineer – Civil, NMPT. I was aware about the case particulars from March 2022. I have not given instructions to our counsel while filing WS. The estate office was conducting the case earlier. The final decision regarding Administration is taken by the chairman on the basis of the suggestion of the Board members. Chairman has not authorized me. It is false to suggest that, only chairman alone is empowered to authorize to conduct the case.

2. Now the plaintiff does not hold the C & F agency of NMPT. I don't know from when. Traffic department will be aware about this particulars. Due to pending dues of about Rs.40 lakhs by the plaintiff, their agency was cancelled. I do not remember the breakup of the said figure. Bank guarantee was given by the plaintiff for approximately Rs.44 lakhs. The said bank guarantee was encashed by us as noted in Ex.P.40/Letter. The witness now volunteers that, the actual bank guarantee was approximately Rs.14 lakhs not Rs.44 lakhs.

Further cross examination is deferred.

(Typed to my dictation in the open court.)

R.O.I. & A.C.,

Com.O.S.No.336/2020
DW- 2

***I Addl. District & Sessions Judge,
Mangaluru, D.K.***