<u>Witness duly sworn on 03.08.2026</u>

<u>Further cross Examination by Sri.SKU, Advocate for Plaintiff:</u>

7. I will submit the stock ledger to court in due course. After July 2022, Bangalore area was permitted to me for supply. It is false to suggest that, as I was not able to make payment of the balance outstanding amount to the plaintiff, the plaintiff made direct supplies to the Bangalore area as suggested by me. I have supplied to Modern Traders and the plaintiff has supplied the goods to me for supply to Modern Traders. It is false to suggest that, these supplies were made by the plaintiff at lower rates.

8. It is true that, the goods received from the Plaintiff in respect of Modern Traders was sent by me to Princess Marketing, Bangalore. Some bills were routed by me to Princess Marketing through Aditya Sales Corporation, Bangalore. It was from December 2021 to July 2022. It is false to suggest that, there is no contract between Aditya Sales Corporation and the Plaintiff. I have not submitted the said contract to court. It is false to suggest that, there is no commercial nexus between Aditya Sale Corporation and the Plaintiff.

9. It is false to suggest that, to make unjust enrichment, I have created Aditya Sales Corporation to make sales to Princess Marketing by obtaining goods at a lesser rate from the Plaintiff. Aditya Sales Corporation is a Proprietorship concern having registered GST number etc. One Santhosh, S/o Subashchandra (D-3) is the proprietor of Aditya Sales. It was floated in around 2005. I can submit the registration particulars of Aditya Sales Corporation.

10. The last sales made by the plaintiff to me was in September 2022. In September 2022, the plaintiff did not take back the unsold stock from us. The witness admits the list of stocks that was received by the plaintiff from us. Hence, the said statement was now marked as Ex.P.10. It is false to suggest that, the amount shown in Ex.P.10 is received by us from Plaintiff. I cannot say by seeing Ex.P.9 as to whether amounts mentioned in Ex.P.10 have been received by us fully or not.

11. It is false to suggest that, after stopping of sales in September 2022, plaintiff has reimbursed the value shown in Ex.P.10 to us. It is false to suggest that, despite receiving all the reimbursement as per Ex.P.10, I am falsely deposing as not received.

12. According to me, after October 2022, the plaintiff refused to take back the goods that was unsold by us from Bangalore branch. In my chief evidence affidavit, I have mentioned that goods pertaining to Bangalore branch alone was not received by the Plaintiff. The unsold stock of Bangalore branch was pertaining to September – October 2022. Witness further volunteers that, as it is running stock I cannot tell the exact period of stock. I cannot tell the exact value of stock that was available in September 2022/last purchase. It is false to suggest that, there was no unsold stock available during Sep – Oct 2022.

13. It is false to suggest that, the counter-claim made by me for Rs.4.20 Crores is false and frivolous. It is false to suggest that, I am liable to pay the suit claim amount to the Plaintiff.

<u>Re-Examination: Nil</u>

(Typed to my dictation in the open court.)

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

(Sri.Vinay Devaraj)
I Addl. District & Sessions Judge,
Mangaluru, D.K.