

Witness present on 16-06-2025 and Oath is Administered.

Further Cross Examination: By counsel for complainant Sri SSP

It is true to suggest that the complainant sent legal notice to me after dishonour of cheque. It is true to suggest that i have given reply as per Ex.P.11 to the complainant through my advocate. It is true to suggest that in my reply notice at para No.9 i have mentioned true facts, admitting that i was ready for amicable settlement. It is true to suggest that i have to give balance amount to the complainant but it is not true to suggest that the amount mentioned in the complaint i was due to the complainant. In my opinion i have to give balance amount to the complainant of Rs.3,05,000/- approximately. I did not produce my statement of account in this case. It is false to suggest that on 12-05-2021 the complainant has sent all the statement of account including letter to me through email. After receipt of Ex.P.18/email letter from the complainant i did not raise written objection before the complainant but i physically went to the complainant's office and raised oral objection. It is false to suggest that i am deposing false. It is true to

suggest that after sending mail, the complainant has presented cheque Ex.P.4 on 01-06-2021. I dont know that the complainant has sent many times emails to me before presenting cheque for encashment. It is true to suggest that as per Ex.P.30 the last transanction between me and complainant was on 31-01-2020. I dont know that to credit the GST amount in GST portal there is limitation period available is 6 months.

It is true to suggest that i did not raise objection in the GST portal for non credit of GST amount from the complainant to me, but the witness volunteers that for non credit of GST amount from the complainant i have orally told to the complainant, in response the complainant replied that he had paid GST amount so he is not responsible for such amount. It is true to suggest that condition No.2 of Ex.P.2 is true. As per Ex.P.2 agreement it is true that the conditions imposed between both are true and correct. Witness volunteers that 1st month 1.5% interest and after 30 days 2% interest p/m is mentioned in the agreement is also admitted but i cannot say that if the 2% interest ...

p/m is to be calculated it would increase more than the amount mentioned in the statement of account. It is true to suggest that complainant delivered tractors on credit basis. It is true to suggest that the amount payable to the complainant may some times delayed as per account. It is true to suggest that the complainant had charged interest as per agreement. It is false to suggest that still there is a due amount of principal amount Rs.5,90,243.86. It is false to suggest that there is a due interest amount of Rs.2,19,581/-. It is false to suggest that there is a total due amount of Rs.8,09,825/-. It is true to suggest that after sending statement of account and letters from the complainant i did not raised written objection but i orally contacted the complainant and his father over phone. It is false to suggest that i am deposing false. It is true to suggest that i maintain ledger of account in my office. It is false to suggest that i am liable to make payment of cheque amount to the complainant. It is false to suggest that in order to escape the liability of payment of cheque amount i am deposing that the ledger account and statement of account of complainant are false.

Re Examination: Nil.

(Statement of witness recorded in the open Court.)

sd/-

***II Addl. Sr. Civil Judge & JMFC.,
Dharwad.***