

IN THE COURT OF PRL. DISTRICT & SESSIONS JUDGE .

AT: HAVERI.

MA(EAT) No.3/2014

RW- 3

On 04/07/2024 Witness PW-1 is present and duly Sworn:

Cross Examination by Sri SSJ for appellant:

2. I have been practicing an advocate since 2004. I had obtained license from KSBC in the year 2004. I have joined in the office of Mr.SAH in the year 2005. I worked under Mr.SAH from 2005 to 2007. I know the procedure of serving postal RAD covers to addressee/party.

3. The contents of para 2 of affidavit sworn by me is true and correct in respect of issuance of notice dated 15/12/2011 and fixing of enquiry date as 22/12/2011. The contents of para 3 of affidavit sworn by me is true and correct in respect of issuance of notice dated 28/12/2011 and fixing of enquiry date as 05/01/2012.

4. I have issued notice to appellant and management committee also. It is false to suggest that the notices sent by me in two dates in para 2 and 3 referred above had not reached appellant. It is true that I have not mentioned in my affidavit about service of notices to appellant on two occasions.

5. It is true that I have not mentioned in my enquiry ExR-17 about service of notices to appellant on two occasions. It is false to

suggest that I have not received acknowledgment for having served the notices to appellant on two occasions and therefore, I have not mentioned the said fact in my report.

6. I have taken statements in writing of A.A.Hubballi and Y.B. Doddagoudar and Pyati and handed over to management. It is false to suggest that management has not produced "Kannadaprabha" newspaper dated 20/11/2010 about publication of news in the paper.

7. I have mentioned in para 20 in my affidavit about handwriting of appellant based on other letters written by appellant shown by management during enquiry. It is false to suggest that I have sworn false affidavit para 20 in collude with the management and to defeat the appellant job.

8. It is false to suggest that I have no experience in conducting enquiry proceedings due to only practice of 8 years as an advocate. Witness voluntaries that I worked as a employee in private firm for a period of 13 years before starting my advocate profession.

9. I worked in Maharastra Hybrid Seeds Company Ltd., at Ranebennur. It is true that I have not mentioned in enquiry report about which documents I relied on charge No-3 to 5. It is true that I have not mentioned in enquiry report about which documents I relied for swearing contents of para 21 of my affidavit.

10. It is true that I have not mentioned in enquiry report about which documents I relied on charge No-8 & 9. It is false to suggest

that I have not fixed date of enquiry proceedings on 22/12/2011 and 05/01/2012.

11. It is false to suggest that ExR-17 is not prepared by me. It is false to suggest that affidavit is also not prepared as per my instructions. It is false to suggest that I have filed a enquiry report in favour of management to defeat the right of appellant in collusion with respondents.

12. It is false to suggest that I am deposing falsely as I worked with Mr.SAH only for 2005 to 2007. It is false to suggest that I worked with Mr.SAH till 2015. It is false to suggest that respondent management has given letter to me to act as a enquiry officer as I worked under Mr.SAH.

Re-examination: Nil

(Certified that deposition of witness is recorded on computer in open-court on direct dictation to typist).

ROAC

Prl. District & Sessions Judge,
Haveri.