

Witness recalled and duly sworn on : 18-02-2020

Cross examination by BSA the counsel for defendant :

While filing of the suit myself and my father gave instruction to our lawyer to prepare plaint. Looking to the podi sheet Ex.P.10 with respect to the R.S.No.120 we gave instruction of chakabandis of the above said properties. As per my knowledge Ex.P.10 the areas of each podies have been reported properly. I myself and my father have no objection to Ex.P.10. It is true I filed appeal before concerned D.D.L.R Haveri by challenging the above said Ex.P.10. I do not know in R.S.No.120 how many podies are there. It is true as per appeal preferred by us before D.D.L.R, R.S.No.120 contains 5 podies. The above said appeal is still pending. It is true above said appeal is preferred against the defendants of present suit. It is not true to suggest that, through above said appeal we claimed cancellation of Rx.P.10 as well as cancellation of P.T sheet concerned to R.S.No.120 prepared by the Tahasildar Hangal. At this stage witness has been confronted Ex.P.12, later on he admits the

above said claim made under the appeal. It is true the present defendants appeared in above said process conducted before D.D.L.R Haveri, wherein defendants have gave consent for cancellation of podi sheet as well as P.T sheet prepared by the survey authority with respect to the survey number 120.

2. Except northern side of the suit property other chakabandies of suit properties are proper and correct. It is not true to suggest that, the chakabandies shown by us in our plaint no suit property is existing. It is not true to suggest that, by virtue of above said wrong chakabandies I have deposed false evidence in this suit. It is true practically since lifetime of our ancestor ourselves and defendants are cultivating survey number 120 as per previous amicable partition. It is not true to suggest that, no any alleged encroachment was occurred from any party in above said allotted portion in R.S.No.120. Witness volunteers that, in the year 2013 when we initiated survey of all podies at that time we came to know about alleged encroachment mentioned

under the suit. After conducting of survey In the year 2013 defendants have encroached our property in the year 2014. It is not true to suggest that, there is no such encroachment as alleged in my additional affidavit.

Re-Examination : NIL

(Typed to my dictation in the open court as per deposition of the witness)

R O I & A.C.

Sr.Civil Judge & JMFC.,
Hangal.

Signature of witness.