

Witness recalled and duly sworn on : 09-03-2020

Cross examination by MSH counsel for defendant :

I got educated up to 5th standard in Urdu medium. I do not know Kannada and English reading and writing. I am doing fruit business. I used to purchase the Mango and watermelon during season I used to export it to Bombay. My business is seasonal business. Witness volunteers watermelon business is full year business. It is not true to suggest that, during hot season watermelon business is well running business. I have not obtained permission to run above said business from concerned authority. I do not have TIN number (Tax identity Number) concerned to my above said business. I have no hurdle to obtained license to run the business. I filed partition suit. Witness voluntarily explains immovable property involved under the suit and he had seen the property extract of above said immovable properties.

2. Smt Nawazabi W/o Modinasb Gulamalishanavar was my father's mother, she is no more died 20 years

back. It is true schedule A, B and C properties are still standing in her name. Plaintiff No-1 is the first wife of my father. It is true deceased Khatunabi Abdulgani Gulamalishanavar was second wife of my father and defendant No-3 is third wife of my father. It is true defendant No-1 is daughter of the deceased second wife of my father and defendant No-2 is her son. I do not remember date of marriage of my mother with my father, date of marriage of deceased second wife Khatunabi with my father. I do not remember date of death of deceased Khatunabi during my childhood at the my age of 10 years she is died. My mother was knowing about second marriage. On the date of her marriage my mother came to know about second marriage of my father. My mother, Khatunabi and my father were residents of Darga village. The defendant No-3 also resident of Darga village. It is not true to suggest that, in between parents of my mother and parents of deceased Khatunabi there was an enmity. It is not true to suggest that, due to above said animosity my mother and

deceased Kahatunabi stayed separately. It is not true to suggest that, during life time of Khatunabi my mother used to assault and abuse my father as he contacted second marriage. It is not true to suggest that, due to above said harassment from my mother my father was always staying with his second wife. I have not produce relevant document like ration card, voter identity card etc, to show that my mother and Khatunabi resided jointly with my father. It is not true to suggest that, I am deposing false evidence as my mother and deceased Khatunabi resided jointly with my father.

3. My father Abdulgani permanently stayed at Goa since more than 30 years. It is not true to suggest that, when my mothers ill treatment become untollerable after death of the Khatunabi my father permanently stayed at Goa since more than 30 years. Witness volunteers that, immediate after death of Khatunabi leaving defendant No-1 at Darga he ran away with defendant No-3 to Goa thereafter he took defendant No-3 daughter with him. I do not know whether my father

contacted marriage with defendant No-3 or not. I have not pleaded as he ran away with the defendant No-3 to Goa. I have no information about above said marriage.

4. During leaving of Hangal my father went away with empty hand and later on he sold out landed property situated at Darga Hangal bearing R.S.No. 594 measuring about 4 acres. It is true I have not included that property in this suit. It is true above said fact has not been mentioned in my plaint. I had no hurdle to mention it in my plaint.

(At this point of juncture further cross-examination is deferred at the request of the counsel for defendant)

(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.