

Witness recalled and duly sworn on 07-10-2021.

Further cross Examination by MSH counsel for plaintiff.

7. According to me, after becoming separate as per partition dated 21-05-1966 there is no property purchased in our joint family by jointly. It is not true to suggest that, I am deposing falsely as there is no property purchased by the joint family after above said partition held on 21-05-1966. I do not know whether my father has purchased 4 N.A plots in the year 1983 jointly towards welfare of plaintiffs as well as defendants No.2 and 3. I do not know whether the house property in which we are residing as well as plaintiff No.2 were purchased in the year 1983 jointly. I do not know whether on 10-09-2009 there was an agreement held in between plaintiffs and defendants No.2, 3 including sons of the plaintiffs and defendants No.2 and 3. Witness volunteers that, my father has intimated me that, in the year 2009 forcibly plaintiffs have executed one document despite it I do not know much more about that document. In order to resist the above said activity my

father had not gave any complaint against the plaintiffs. Witness has asked about hurdle due to which my father has unable to lodge with the complaint, Witness volunteers that, at that time my father was performing our marriage and plaintiffs have making hurdle, therefore my father had inconvenience to give the complaint before concerned police. It is not true to suggest that, I am deposing falsely as about above said hurdle. After our marriage my father approached his counsel and took legal opinion as the above said document had no evidential value, therefore we kept mum without taking any legal steps. We have copy of above said arrangement deed. At this stage witness has confronted Ex.P.24 above said original document through which witness unable to identify any of the signatures shown on the document. I am unable to remember the contents of the above said document as I had copy of it but long back I have seen it, now I cannot remember about its contents including signatures. 8 years back I had seen the above said xerox document. It is true at the time of execution of above said arrangement deed

suit schedule 2(A) property was standing in the name of defendant No.2. Till today it is standing in the name of my father. It is not true to suggest that, the above said arrangement deed is binding on me and defendant No.4 including defendant No.2.

8. It is not true to suggest that, the gift deed executed by the defendant No.2 in favour of myself and defendant No.4 are formal documents not valid document. The above said gift deed was attested by one Mutagi and Karajgi. I do not know initials of these two persons. I do not know their address and residential place. It is not true to suggest that, these two witnesses are loan customer of my father and at the instance of my father they put their signature.

9. It is not true to suggest that, the property involved under above said gift deed is joint family property and the entire village is known about this fact, hence none of the Belagalpeth and Aladakatti villagers have put their signatures as an attesting witnesses. It is not true to suggest that, the properties situated at Hubli i.e., suit schedule 2(C) to 2(F) are joint family properties

and not of the self acquired properties of my father. It is not true to suggest that, after execution of above said family arrangement deed in order to deprive the plaintiffs in seeking partition regarding suit schedule 2(C) to 2(F) properties, my father has purposely executed gift deed in favour of us. In order to avoid the partition claim of the plaintiffs we purposely and formally alienated above said properties in favour of defendant No.6. I cannot say exact date on which plaintiffs have obstructed in our peaceful possession over suit schedule 2(A) property. Witness volunteers that, on each and every day when we approach the above said land plaintiffs used to made obstruction. I do not remember the date on which the plaintiffs have made obstruction as alleged in my counter claim. There is no date mentioned under my counter claim about alleged obstruction. We claimed relief through counter claim for declaration of my title over above said gifted property. I do not know whether the sons of 1st wife of my father by name Shivanand and Ishwar have also put their signatures on above said arrangement deed. It is not

true to suggest that, since date of registration with respect to suit schedule 2(A) property plaintiffs and defendant No.2 and 3 were having joint possession, therefore no question of obstruction by the plaintiffs as alleged in the counter claim. It is not true to suggest that, based on created gift deed we are making false allegation of obstruction on the part of plaintiffs and deposing false evidence against them. My uncle by name deceased Veerappa was worked as a Teacher. It is not true to suggest that, during purchase of the suit schedule 2(A) property my uncle deceased Veerappa has made major investment through his salary income and purchased the property. It is not true to suggest that, I am deposing falsely as plaintiffs have made obstruction at each and every time. It is not true to suggest that, there is no partition held between plaintiffs and defendants No.2 and 3 legally. Witness volunteers that, in the year 1966 there was partition held among plaintiffs and defendants No.2 and 3. It is not true to suggest that, till today there is dispute regarding suit schedule properties among plaintiffs and defendants

No.2 and 3. It is not true to suggest that, my father had not got absolute ownership and sole authority to execute the gift deed in our favour with respect to suit schedule 2(A) property, even though in order to engulf the above said property I am deposing false evidence against the plaintiffs. It is not true to suggest that, we have filed false written statement in order to resist the plaintiffs suit and deposing false evidence accordingly.

Re-Examination : NIL

(Typed on 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.