

Witness recalled and duly sworn on 16-11-2021.

Cross Examination by SLB counsel for defendant.

I do not know whether as on today is there any other case apart from this case is pending in any other Court with respect to the very suit property. I have not attended either Hon'ble Haveri Court or Hon'ble Dharwad High Court in order to attend the cases with respect to the same suit properties. I have no information whether Yalla Bin Kannappa Yallapur, Yalla Kariyalla Yallapur, Yallavva W/o. Yallappa Yallapur have been made parties to this suit or not. I know deceased Kannappa had four daughters by name Dyamakka, Anasuya, Shobha, Yallavva and his wife by name Fakkiravva as his legal

heirs, but not made parties to this suit. I do not know how and in what manner defendants have inherited the suit property. It is true the Land Tribunal authority of Hangal has decided that, our grand father is not at all tenant of the suit property through its order dated 05-12-1981. It is true very order has been challenged before the Hon'ble High Court of Karnataka where our writ was dismissed. Witness volunteers that, on technical ground it has been dismissed. Very order has been challenged before Hon'ble Division Bench where our appeal came to be dismissed.

2. It is true we have filed form No.7 before concerned Land Tribunal authority. I do not know the Land Tribunal has confirmed that our grand father has possessed the lands to the extent of 30 to 35 Acres. I do not know in above said process held before Land Tribunal authority we have shown the property hold by us situated at Alalli village Tal.Mundgod, Hullatti, Bailwal and Tallihalli of Hangal Taluk. It is not true to suggest that, I am not aware of the facts mentioned under the pleadings and evidence affidavit.

3. It is not true to suggest that, based on order passed by the Land Tribunal authority with respect to the suit property the concerned Tahasildar has erased our grand father's name from the property extract of the suit property in the year 1988 as it was confirmed that, my grand father was not at all tenant, former of the suit property. I do not know whether the above said order of the Tahasildar has been challenged before A.C Savanur or not. It is not true to suggest that, as we know that we are not cultivators of the suit property therefore by accepting the above said mutation we have not challenged the same before the concerned A.C as we had no possession previously and continuously over the suit property, hence no situation arose to us to challenge the above said Tahasildar order. It is true we are not filed any complaint against the defendants by resisting the obstruction and interference made by the defendants in our peaceful possession over suit property. It is true we have challenged the M.E.No.840 before A.C office through RTS.APSR No.93/2015-2016 same has also been dismissed. I do not know whether another appeal

under RTS.APSR No.92/2015-2016 apart from above said appeal has been preferred before the A.C Court Hangal, same has also come to be dismissed. I do not know about defendants who holds suit property, apart from it they own no other properties.

4. It is not true to suggest that, we have not right, title, interest to file any case with respect to the suit property even though in order to harass the defendants and their peaceful possession over the suit property we filed false suit and deposing false evidence against the defendants, as we tried to purchase the suit property through one agent by name Irappa Basavanneppa Shadagarahalli and went in vain. It is not true to suggest that, since 1954 defendants family members re having continuous possession by bifurcating their respective shares in the suit property by constructing farm house. It is not true to suggest that, since more than 15 years back defendants have cultivated mango trees and now they got well yielding trees in the suit property and enjoying the yield of the crop even though in order to

harass the defendants we approached the Court with false suit by filing of false affidavit.

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.