

Duly sworn on
Date: 28-01-2026

Further Cross Examination of PW 1 : by Sri. GAG
counsel for the defendant No.1 and 2:-

There is no any registered partition taken place between myself and defendant No.1 and 2. Now one document is shown to the witness, witness admits that, one partition has taken place between himself and defendant No.1 and 2, witness volunteers that, the above said partition is with respect to properties situated at Jaigram village, hence above said document is marked as Ex D.1. It is true to suggest that, with respect to the ancestral properties Ex D.1 partition has taken place. I am holding joint account at SBI, Raichur branch in my name and also in the name of defendant No.1. I do not know during which year the above said account was opened, witness volunteers that, it was opened at the time of construction of house. House was constructed during the year 2007-08. During the year 1994-95, one portion was purchased and during the 2002 , another portion was purchased during the year 2006, another portion was purchased at Raichur. During the year 1994-95 I was 12 years of age. During the year 2002-03 I was 20 years of age. During the year 2005-06 I was 26 years of age. Now Ex.P.1 is shown to the witness, it is true to suggest that, towards eastern side and northern side the name of defendant No.1 is appearing. As per Ex P.1 967 Sq.Ft is

purchased. The house is constructed in an area 178 Sq.Mtrs. The total cost of construction of schedule-1 property was of Rs.15 to 16 lakhs. It is false to suggest that, the total cost of construction for 178 Sq.Mtrs is of Rs.40 lakhs. I have completed my engineering course during the year 2004. I have joined to duty on 09-08-2004. It is false to suggest that, I have not joined to duty during the year 2004, but joined during the year 2006. It is false to suggest that, intentionally I have not filed the SBI joint account before this court, witness volunteers that, he has not produced the said account since it was opened for construction of house purpose. I have transferred the amount from my account to the joint account of SBI. It is false to suggest that, I have transferred the above said amount to the joint account of SBI to show that, I have transferred the amount for the expenses of parents and later on I have got withdrawn the same and also to show in my income tax returns. It is false to suggest that, my father i.e., defendant No.1 is his self acquired property , hence I am not entitled for share in the suit schedule Sl NO.1 house property. It is false to suggest that, since the schedule-1 house property is the self acquired property of defendant No.1, hence it is not included at Ex .D.1. It is true to suggest that, by the time of Ex D.1 the schedule Sl No.1 house property was constructed. It is true to suggest that, in the partition suit it was filed before Yadagir Court in OS No.282/2019

which was filed by my uncle against my father and us, the present suit schedule Sl No.1 property was not included.

By virtue of allotment made by BDA suit schedule Sl No.2 house property is allotted to defendant No.1. I can not say what was the initial amount paid towards BDA. I can not say from which account the amount is transferred to BDA. I can not say what was the cost of suit schedule Sl No.2 property. I do not know if it is suggested to me that, from the account of defendant No.2 an amount of Rs.50,000/- is transferred to the account of BDA on 07.02.2018. My sister husband name is Ashok. I do not know if it is suggested to me that, from account of Ashok an amount of Rs.50,000/- is transferred to the joint account of myself and my father. I do not know if it is suggested to me that, my father defendant No.1 has deposited an amount of Rs.2 lakhs by way of cash to the joint account. I do not know if it is suggested to me that, defendant nO.1 has taken D.D of a sum of Rs.2,91,864/- from the joint account and paid initial amount towards BDA with respect to the suit schedule Sl No.2 property. It might be true if it is suggested to me that, but later on BDA has allotted the suit schedule Sl No.2 property in favour of my father defendant No.1. It is false to suggest that, the suit schedule Sl No.2 property is allotted to defendant No.1 under senior citizen category. I do not know what was the later consideration amount paid towards BDA with respect to the suit schedule Sl no.2

property. I do not know what was the monthly installment with respect to the suit schedule Sl No.2 property. I do not know what was the balance amount payable with respect to the suit schedule Sl no.2 property. I do not know if it is suggested to me that, the monthly installment amount with respect to the suit schedule Sl No.2 property is paid from the account of defendant No.2. I do not know if it is suggested to me that, defendant No.2 has paid the lumpsum amount towards BDA with respect to suit schedule Sl No.2 property. It is false to suggest that, with respect to the suit schedule Sl No.2 property the consideration amount is paid by the defendant No.1 and 2, hence I am not having any rights over the suit schedule Sl No.2 property, witness volunteers that, with respect to the suit schedule Sl No.1 house property 10 lakhs of mortgage loan is obtained by defendant No.2 and the said amount is paid towards BDA with respect to the suit schedule Sl No.2 property. The mortgage loan was obtained on the schedule Sl No.1 property during the year 2022.

Further cross examination of PW 1: counsel for the defendant No.1 and 2 prays time, hence deferred.

(Typed by Typist in Open Court as per my dictation)

Prl. Sr.C.J. & CJM, Raichur