

IN THE COURT OF THE PRL. CIVIL JUDGE AND J.M.F.C., AT GUBBI.

O.S. No. 355/2015

Plaintiffs: Basavaraju and another

-V/s-

Defendants: K. R. Narasegowda and another

AFFIDAVIT

Name: K. N. Prashanth

Father Name: late Narasimhamurthy

Age: 45 years

Address: Koppa, Kadaba Hobli,
Gubbi Taluk.

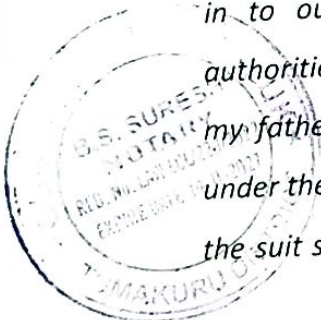
I, Prashanth, the Lrs. of defendant No. 2 in the above said suit,
do hereby solemnly affirm and state on oath as follows:-

I state that the suit schedule survey number totally measuring 06 guntas, situated at Koppa village, Kadaba Hobli, Gubbi Taluk in which my grand father Ramaiah had purchased to the extent of 03 guntas of land under Registered Sale Deed during the year 1944 from its vendor for valid consideration and since then he was in possession and enjoyment of the same on his own right. I state that remaining extent of 03 guntas of land in the suit schedule survey number situated on the northern side of our land and this land was barren land and nobody was cultivating the said land including the father of the plaintiff Siddalingappa since many decades. I state that our land and the suit schedule property situated side by side having a single compact unit and thereby my grand father was entered on the suit schedule property on 01/04/1946 to the knowledge of father of the plaintiff Siddalingappa and plaintiffs and since then he used to cultivate the suit schedule property and also land of his property during his life time and he was in actual possession and enjoyment of the suit schedule property for a statutory period adversely, openly,



K. N. Prashanth

uninterruptedly notorious, exclusive and continuously hostile to the knowledge of father of the 1st plaintiff Siddalingappa and these plaintiffs by remaining in the suit schedule property adverse to the interest of the father of the 1st plaintiff and including plaintiffs as such my grand father Ramaiah had perfected his title to the suit schedule property by way of adverse possession, therefore my grand father Ramaiah was in possession and enjoyment of the suit schedule property as owner by way of adverse possession upto his death as owner thereof. I state the katha was also made out by the revenue authorities to the extent of 06 guntas including suit schedule property in the name of my grand father Ramaiah by the revenue authorities basing on the actual possession hold by the said Ramaiah. I state that after the death of Ramaiah the 1st and 2nd defendant are in continued in possession and enjoyment of the suit schedule property adverse to the interest of the plaintiff as stated above and we have become perfected our title by way of adverse possession and also we have succeeded to the suit schedule property in addition to land of ourselves on the southern side through succession and since then we have become joint owners in possession and enjoyment of the same on their own right. It is submitted that the pahanies are also written in the name of the 1st defendant by the revenue authorities to the whole extent of land in the suit schedule survey number from many decades and the name of the 1st defendant is also forth coming in column No. 12(2) of the R. T. C. Extract. I state that after the death of my grand father Ramaiah we have also filed an application before revenue authorities to effect the katha and pahany in to our names on powthivaras and accordingly the revenue authorities have accepted the mutation proceedings in the name of my father and my uncle ide M.R. No. 3/2015-16 as contemplated under the Karnataka Land Revenue Act of 1964 to the whole extent in the suit schedule survey number including the suit schedule property



L. V. Prabhakar

but they have not issued a certified copy of the R. T. C. Extract to my father and defendant No. 1 for the recent year. I state that either the plaintiffs or his father never in possession and enjoyment of the suit schedule property at any point of time as they pleaded in the plaint. I state that from the year 1935 either the father of these plaintiff Siddalingappa or plaintiffs were/are attempted to got effected the katha and pahany into their names as they pleaded in the plaint and they were kept mum without agitating the matter before any competent authority by slept over the subject matter for many decades and now they are seeking a reliefs before this Hon'ble court after lapse of 75 years and thereby the suit brought by the plaintiffs are hopelessly barred by law of limitation. I state that even today we are in actual possession and enjoyment of the suit schedule property by keeping regular crops by spending huge money and hard labour. After the death of 1st and 2nd defendant we are in possession and enjoyment of the suit schedule property.

The documents produced by me may kindly be marked as exhibits.

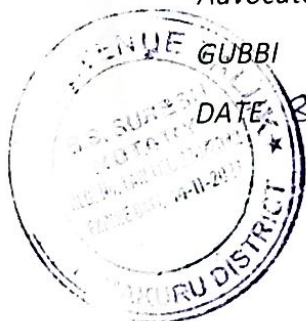
Wherefore, I prays that this Hon'ble court may kindly be pleased to dismiss the suit with costs, in the interest of justice.

I do swear in the name of God that this is my name and signature and the contents of this affidavit are true and correct.

Identified by me,

Savitry Up.
Advocate:

[Signature]
DEPONENT.



DATE: 3/6/2026

[Signature]
I do swear in the name of God that this is my name and signature and the contents of this affidavit are true and correct.
[Signature]