

Witness again duly sworn on 06-04-2024

Cross-examination by plaintiff in person: -

2. There are four partners including myself in defendant's firm. I am one of the authorized partner. Our firm is engaged in importing Raw Cashew nut and selling finished process cashew nuts. I agree that I had come to the Plaintiff's office at Karwar to discuss setting Cashew processing factory and Godown at Vasrekudrgi Village of Ankola Taluk. I admit that the defendant has entered into the agreement now shown to me which is already marked as a Ex.P.1. It bears my signature on each page. It is true to suggest that the said agreement was for construction of factory building and Godown. It is true to suggest that in the agreement the mutually agreed rates have been mentioned.

3. There is clause in the agreement for completion of the construction within time stated. In Ex.P-1 the date for completion is not mentioned. But another agreement relating to the same subject has been entered into on the same day and in the said agreement the date for completion of work is mentioned. I have produced the said agreement in this case. Ex.D.1 is the said another agreement which I mentioned above. If it is suggested that in Ex.D.1 is not in between the plaintiff and the defendant and it is between M/s Konkan Engineering consultants and defendant, I say the signing parties to both the agreements are one and the same. I agree that there are two agreements, but I did not know that the companies were different when I signed the agreements. But, afterwards I have learnt about the same when I received summons from the court in the case, that is when I stated verifying the documents upon receiving summons. If it is suggested that the contents of both the agreements are different, I say they are not

fully different, but slight difference in terms and conditions is there.
However the amount of money agreed under both agreements is same.
(Further cross examination is deferred)

(Typed to my dictation in the open court)

R.O.I. & A.C.

District & Sessions Judge,
Uttara Kannada, Karwar.

Cross-examination deferred at request