

Resumed

Further examination in Chief on oath of Nita Sanjay Tabhane by the learned Advocate Shri. N.D.Anjankar for the objector:

09. I have filed my affidavit of examination-in-chief. The contents of my affidavit are read over and explained to me in vernacular, contents therein are true and correct. It bears my signature.

10. I am working as a Sarpanch in Gat G.P. Sawangi (Ghogli). I have filed the assessment list of property no. 248 in which it shows that the property is standing in the name of G.P,Sawangi(Ghogli), Pradnya Sheel Karuna Budhha Vihar, Mouza-Ghogli, Nagpur - Katol Highway Road, Bhogwatdar - own. The area of this land is about 1070.16 sq.ft. So also, the property no.249 admeasuring 352.92 sq.ft. is also standing in the name of the G.P.Sawangi (Ghogli), Karuna Buddha Vihar. Both these assessments are exhibited at **Exh.No. 29 and 30** respectively. So also, I have filed **by laws** of Karuna Buddha Vihar. It is marked as **Exh.No.31**. So also, I have filed the photographs on record. Some villagers of our village applied to the SDO, Saoner to handover the compensation to the G.P. It is marked as Article-A.

Examination in chief is completed.

Cross-examination by Advocate Shri. C.K.Barethiya for non-applicant.

11. I am a Sarpanch of Gat G.P. of two villages Sawangi and Ghogli. Since year 2020, I am a Sarpanch of Gram Panchayat. I am

graduate. It is true to say that G.P. had given the land to the Buddha Vihar for construction of Buddha Vihar. It is true to say that the construction of the Buddha Vihar is not construed by the Buddha Vihar. It is true to say that if anybody wants assessment list he should have to apply to the G.P then the G.P. body in meeting pass the resolution then the name used to introduce in the assessment list.

Que. Whether such type of resolution was passed in the G.P. or not ?

Ans. I do not know.

12. It is true to say that no mutation entry of the plot is filed along with this matter. It is true to say that no resolution of G.P is shown in the assessment list. It is true to say that the construction and the assessment are not match. It is true to say that there are two Buddha Vihar. It is true to say that one is Pradnya Sheel Karuna Buddha Vihar whereas, another is Karuna Buddha Vihar. Karuna Buddha Vihar is in a middle portion of village whereas, Pradnya Sheel Karuna Buddha Vihar is on highway. The age of the Buddha Vihar is 5 to 7 years. I do not know whether the buddha vihar is standing since last 100 years or not. I do not know the age of the second Buddha Vihar. I do not know what is inside the Karuna Buddha Vihar. In the Karuna Budha Vihar there are two statue i.e. one of Dr. Ambedkar and other is of Mahatma Fule. Now, the photographs of both the buddha vihar shown to me. As the document is referred to the witness hence, it is marked as **Exh.No.32**. It is true to say that except this assessment, I have no any document which shows that the G.P. is the owner of the property. No any programme was conducted by the G.P. in the Buddha Vihar. It is true to say that all the programme such as Ambedkar jayant, Buddha Jayanti, Mahatma Fule Jayanti etc. are celebrating in the Pradnya Sheel

Karuna Buddha Vihar by the trust of the vihar. It was called in the November in the village where the pendol was installed in the programme but, I am unable to tell who was called to me. It is not true to say that G.P. has not issued NOC and the assessment list to the non-applicants. It is not true to say that due to that the non-applicant cannot given the description in that reply. It is true to say that till today no G.P has issued any tax receipt in favour of the Buddha Vihar.

13. In our village there is temple of Lord Bajrangbali. I do not know whether the G.P. taken a tax for the temple or not. It is true to say that the G.P. Ghogli is not imposing tax upon the Karuna Buddha Vihar, Pradnyasheel Karuna Buddha Vihar and Temple of Lord Bajrangbali of our village. I am the Sarpanch of village through the panal of Congress Party.

Que. Is it the application given by the villagers to the Sub-Divisional Officer, Saoner ?

Ans. Yes.

14. The document is xerox copy even though the Ld. Advocate appearing for the objector to press the exhibited the document hence the document is referred to the witness, hence, it is marked as **Exh.No.34.**

Due to the recess period further cross-examination is deferred.

Place : Saoner.
Date : 16.09.2025

Sd/-
(S. A. Sardar)
Civil Judge Senior Division, Saoner
Tahsil Saoner, District Nagpur.

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15. It is true to say that the villagers gave me the photocopy of their signatures which originally was given to the Minister of Maharashtra Mr. Kedar. It is true to say that the construction of the statues and the vihar was constructed from the contribution of the people by the trust. It is not true to say that only the trust used to celebrate the every programme on the portion of the vihar. It is true to say that the GP is not celebrating any programme in both the vihar. It is not true to say that the acquired is not the property of the GP. It is true to say that Mr. Sunil Kedar was the Minister where I was elected as a Sarpanch. It is not true to say that to grab the money of the compensation with the member of the GP have created the dispute regarding the acquired land. It is not true to say that both the vihar are not on the space of the GP. It is not true to say that the compensation award passed by the SLAO is true and correct. It is not true to say that the allegation made against the trust and I am deposing false against the non-applicant.

Cross-examination is completed.

No re-examination.

R. O. A. C.
Before me,

Place : Saoner.
Date : 16.09.2025

(S. A. Sardar)
Civil Judge Senior Division, Saoner
Tahsil Saoner, District Nagpur.