

L.A.R.No.416/2011
Tanba & Oth. .Vs. State & ors.

Exh.22

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Witness no.1. Pundlik Tanba Giradkar

**Examination-in chief on oath of P.W.1 by Adv. Shri. D.B. Barsagade
for the petitioners.**

[01] I do hereby state on solemn affirmation that my counsel has drafted my affidavit of examination-in-chief as per my instructions. Its contents were read over and explained to me in vernacular. The affidavit Exh.22 bears my signature and its contents are true and correct.

[02] I have filed certified copy of Award. It is marked as Exh. 23. I have filed 1 notice U/s. 12(2) of above Act received by us. It is marked at Exh. 24. I have filed copy of 7/12 extract. It is marked as Exh. 25. I have filed copy of Gaon-namuna-8-A extract. It is marked as Exh. 26. I have filed copy of map. It is marked as Exh. 27. I have filed certified copy of sale deed. It is marked as Exh. 28. I have filed xerox copy of judgment of Umred Court (In view of submissions of both sides, there being absence of any dispute about above judgment, as per submissions it be marked as Exhibit). It is marked as Exh. 29. I do not want to state anything else.

**Cross-examination by Id. Adv. Shri. Wandile on behalf of
respondent no.4 and 5.**

[03] My father was cultivating the acquired field and I had knowledge about the transactions. It is true to say that adjoining fields too were acquired and measurement was done so also notices were received by us. We had not filed any document or bills showing the price of acquired fields after receipt of notice under section 9 of above Act. It is

true to say that this Reference is restricted to land only. I have read the documents filed on record before filing in evidence. It is true to say that I had read the Award. I have not filed extract showing the crops and income obtained from acquired fields. It is true to say that as per 7/12 extract (Exh. 25), 29 R. land is available for cultivation. It is true to say that we were cultivating with the help of rain water and there was no well in the acquired field. It is true to say that the land in sale deed (Exh. 28) is irrigated field, cultivating with the irrigation through out the year. It is true to say that the land in Exh. 28 was sold along with cattle shed, well and electric motor pump. It is not true to say that above sale deed is not applicable to this matter. It is true to say that I do not know the evidence adduced in Exh. 29. It is not true to say that above judgment is not applicable to this matter. It is not true to say that we have received sufficient compensation as per prevailing rate and we have filed false Reference out of greed. It is not true to say that I am deposing falsely.

Cross-examination – for Respondent Nos. 1 to 3 – No one is present from the side of Respondent Nos. 1 to 3. No steps taken from their side. Matter is old one, hence, matter to proceed without cross-examination from their side. Hence, cross-examination is over.

Re-examination- Nil.

ROAC

Before me

Sd/-

Sd/-

[A. V. Mishra]
C.J.S.D., Umred.

[A. V. Mishra]
C.J.S.D., Umred.

Dated : 04/11/2022