

Witness no.1. Chandrakant Anandrao Pantawane

Examination-in chief on oath of P.W.1 by Adv. Shri. Rahul Shukla for
the plaintiff.

1] 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.39 bears my signature and its contents are true and correct.

2] I have filed documents with List (Exh. 41). I have filed agreement to sale dated 16.03.2013. It bears my signature and that of defendant no.1 and that of the witnesses. I identify their signature. Its contents are correct. It is marked as Exh. 45. I have filed supplementary agreement to sale dated 05.10.2013. It bears my signature and that of defendant no.1 and that of the witnesses. I identify their signature. Its contents are correct. It is marked as Exh. 46. I have filed 7/12 extract bearing seal and signature of concerned authority. It is marked as Exh. 47. I have filed office copy of notice bearing signature of my Ld. Advocate. Its contents are correct. It is marked as Exh. 48. I have filed its postal receipt and acknowledgement. Those are marked as Exh. 49 and 50 respectively. I have filed office copy of notice bearing signature of my Ld. Advocate. Its contents are correct. It is marked as Exh. 51. I have filed its postal receipt

and acknowledgement. Those are marked as Exh. 52 and 53 respectively. I have filed reply issued by the learned Advocate for the defendant no.1 received my Learned advocate. It is reply to my notice. It is marked as Exh. 54.

3] I have also filed documents with List (Exh. 44). I have filed my original passbook of State Bank of India. Its entires are correct. It is marked as Exh. 55. I have filed E-challan purchased for execution of sale deed. I have received / obtained above document after payment of necessary stamp duty. (The Ld. Advocate for the defendant no. 1 objects to exhibition of above document contending that it does not bear any seal and signature of issuing authority therefore, it cannot be exhibited in evidence. He also contends that the document is not accompanied by any certificate of payment of amount towards above document. The learned advocate for the plaintiff submits that above document is obtained by the plaintiff after payment of necessary stamp duty. It is a computerized document obtained from concerned office bearing necessary details including GRN number and therefore, it can be admitted in evidence).

(The witness has deposed about said document in his evidence. He himself claims to have paid necessary stamp duty and claims to have himself obtained possession of above document. Above document is a computerized document issued by concerned authority and therefore, looking to above evidence, it can be admitted in evidence. It is marked as Exh. 56).

4] I have filed paper cutting of publication notice issued by me. (Its exhibition is objected to by the Ld. Advocate for the defendant no.1). Above document does not bear details of concerned newspaper, it is only

cutting of some document. From above document, its exact details and authenticity cannot be confirmed. Hence, at this stage, it is marked as Article-P-1. I do not want to state anything else.

(As per submissions, further examination-in-chief is over and matter to proceed for cross examination).

Cross-examination – As per order passed below Exh. 42, this matter has been clubbed with another suit i.e. RCS No. 149/2017 in which trial is yet to begin. Hence, this matter be taken up for cross-examination after framing of issues in that matter.

ROAC

Before me

Sd/-

[A. V. Mishra]

C.J.S.D., Umred.

Dated : 28/02/2023

Sd/-

[A. V. Mishra]

C.J.S.D., Umred.