

PW-1

Witness recalled and duly sworn on 14.07.2026

Cross-examination by Sri RPS, Advocate for appellant/defendant

3. I have studied upto 7th Std., but I have not passed it. Now I am aged 63 years. Late Syed Dastagir Sab is my father-in-law i.e. father of my wife. He died leaving behind 3 sons and 1 daughter and they are 1. Syed Alamgir 2. Syed Aslam 3. Syed Zabiulla 4. Syeeda Parvin Banu. According to me the LTMs' appearing on each page of Exhibit-P1 are of Syed Dastagi Sab.

4. On 18.07.2023 it was got scribed by my said father-in-law at K.R.Puram through a Lawyer. My said father-in-law had studied in Urdu medium but I do not know his qualification. He was signing in English and not in Urdu. If it is suggested that he was signing all the documents in English, though he was so signing in English, but during the relevant time his hands were shaking so he put his LTM to Exhibit-P1. It is incorrect to suggest that then he was suffering from ill-health. Then he was aged nearly 85 years. It is incorrect to suggest that then he was aged 90 years and because of that age factor he was suffering from senility. It is further incorrect to suggest that he was also suffering from loss of memory.

5. At the time of scribing of that Will I was also present as such I came to know about the said Will. I volunteer that then his sons and grand son were also present. I have accepted the Will at Exhibit-P1. It is true that in Exhibit-P1 there is no signature of mine to show that I have accepted it. On the date of execution of the Will only I was informed of it by my father-in-law.

6. In this case 6 Guntas of land is involved. It is true that suit was filed for the said extent of land. It is incorrect to suggest that the said land belongs to the appellant namely Principal, MDTC and my father-in-law had no right to execute Will in respect of that land. It is true that the said extent of land falls within the compound premises of MDTC. It is again incorrect to suggest that my father-in-law had no right to execute Will in respect of the said land.

Re-exam: Nil

(Typed to my dictation in my chamber on this the 14th Day of July, 2026)

R.O.I & A.C.
Sd/-
Registrar (Judicial)
High Court of Karnataka
Bengaluru.

PW-2

Witness recalled and duly sworn on 14.07.2026

Cross-examination by Sri RPS, Advocate for appellant/defendant

3. Late Syed Dastagir Sab is my father. Since my father had executed GPA in favour of PW-1, for that purpose he executed Will in favour of PW-1 though myself and two other brothers and a daughter are survived by him. It is incorrect to suggest that since my father had no right to execute Will, so he fraudulently executed it in favour of PW-1. It is incorrect to suggest that the said property belongs to MDTC, Bengaluru, that's why our father has created that Will in favour of PW-1. It is incorrect to suggest that my father had no subsisting interest in that property to execute the Will. It is again incorrect to suggest that by creating that Will we are troubling the MDTC.

Re-exam: Nil

(Typed to my dictation in my chamber on this the 14th Day of July, 2026)

**R.O.I & A.C.
Sd/-
Registrar (Judicial)
High Court of Karnataka
Bengaluru.**