

Witness is present and duly sworn on 08.11.2024

Examination-In-Chief by Smt. AC Advocate for Defendant:

I am the Defendant No.2 in this case. Today, I am filing my affidavit in lieu of my examination-in-chief. The contents of the said affidavit are true and correct to the best of my knowledge, belief and information and it bears my signature.

I am producing the following documents,

Ex.D.1	Certified copy of sale deed dtd:12.03.2001.
Ex.D.2	Certified copy of gift deed dtd:25.05.2013.
Ex.D.3	Certified copy of sale deed dtd:06.03.2018.
Ex.D.4	True copy of utara patra.
Ex.D.5	True copy of Katha Certificate.
Ex.D.6	Property register extract.
Ex.D.7	Tax paid receipt.
Ex.D.8	Approved plan.
Ex.D.9	Certified copy of the bank statement for the period 17.03.2018 to 31.08.2018.
Ex.D.10 & 11	2 Service certificates.
Ex.D.12 & 13	2 bill receipts.
Ex.D.14	Document obtained under RTI Act including the copy of the work order.
Ex.D.15	Certified copy of sale deed dtd:13.02.2006.
Ex.D.16	Document issued by BESCOM.
Ex.D.17	Receipts issued by BESCOM.

Ex.D.18 to 29	12 photos.
Ex.D.30	Certificate.

In view of my pleadings and evidence, I pray to dismiss the suit as prayed.

(Cross examination is deferred).

(Typed to my dictation in the open court)

ROI and AC

(VEENA N.)
XL Addl. CC & SJ, Bengaluru.

Witness is present and duly sworn on 16.01.2025

Cross Examination by Smt. GS Advocate for Plaintiff:

I have personal knowledge about contents of my chief affidavit. As per Ex.D.1, towards western side site No.13 is situated, towards eastern side there exists site No.15 and towards north private property and towards south road. It is true to suggest that the BDA has formed the said layout. It is true to suggest that in the year 2001 the BDA has sold the property mentioned in the schedule of the sale deed in favour of Smt. T. Rama. It is true to suggest that in Ex.D.2 the same boundary is mentioned. Site No.14 measures east west 9.14 meters, north south 12.20 meters. I have verified the title deeds of the said property before purchase. It is true to suggest that in Ex.D.3 the boundary and extent mentioned in Ex.D.1 and 2 is shown. In the month of December 2017 for the first time, I visited site No.14. It is true to suggest that I purchased vacant site. I have seen the layout plan prepared by BDA. It is true to suggest that in the layout plan towards western side of site No.14 there is site No.13. Towards eastern side of site No.14 there is one site and towards western side there are 13 sites in one row. It is true to suggest that Ex.D.20 shows site No.15 on the eastern side of site No.14. Ex.D.20 shows the stone built compound wall and its height is about 9 to 10 feet. Ex.D.19 shows site No.14 and Ex.D.18 shows both site

No.13 and 14. It is true to suggest that in the month of December 2017 there was already a building constructed in site No.13. It is true to suggest that at that point of time site No.14 and 15 were vacant. It is true to suggest that towards northern side of site No.14 and 15 there existed a stone built compound wall. It is true to suggest that the said compound wall is the end of BDA layout. It is true to suggest that the said compound wall is built by Bangalore University. It is true to suggest that towards northern side of my site and site No.15 the property of Bangalore University is situated. My vendor identified site No.14 at the spot and I had also verified the documents and thereafter purchased the property. The compound wall shown in Ex.D.19 was put up by me after purchase. I have no other document to show the identification of the site by my vendors. The officials of BDA have also identified site No.14 as per requisition submitted by me. I have not produced any document to show that the officials of BDA visited the spot and identified site No.14. The officials of BDA came to the spot verbally identified site No.14 by saying that there are 13 sites on eastern side of site No.14 and I can measure site No.14 after site No.13. The officials of BDA did not identify the site No.15. After filing the present suit, site No.15 is measured. Even before filing the present suit, I had measured site No.15. The said site No.15 was not seriously measured by me since no suit was

filed at that point of time. I measured my site starting from site No.1 to 13. Each site on the front side measures 30 feet east to west. Initially, I had no knowledge about existence of site No.15 towards eastern side of my site. My vendors have not informed me about the property situated on the eastern side of my site. The BDA officials also did not identify the property situated on the eastern side of my site. It is true to suggest that as per my title deeds towards eastern side there is site No.15. It is false to suggest that at the time of putting up compound wall I have not measured site No.15. After filing the present suit, I came to know about the measurement of site No.15 and its extents did not match with the documents. It is true to suggest that the boundary shown to site No.15 in Ex.P.1 is correct. It is true to suggest that towards eastern side of site No.14 there is site No.15. It is true to suggest that in Ex.P.1 the extent of site No.15 is shown as east west 6.10 meters and north south 12.20 meters. When, I measured the said site the said extent was not available. I have no document to show I measured site No.15 before filing suit. At the time of measurement the existence of site No.15 at the spot came to my knowledge but the extent was quite odd. I measured site No.1 to 14 on feet basis. It is true to suggest that as per the sanction plan I have to leave 1 meter set back area on the left side of my property i.e., on the eastern side. I have not left exact 1 meter set back it is reduced to some

extent. The plaintiffs have not threatened me. The plaintiffs have not caused any interference by influencing the political persons. I do not know that the plaintiffs are land grabbers and are involved in land-mafia. The plaintiffs have not demanded for any money from me. The plaintiffs have not forced me to pay money to withdraw the suit.

(Further cross examination is deferred).

(Typed to my dictation in the open court)

ROI and AC

(VEENA N.)

XL Addl. CC & SJ, Bengaluru.