

IN THE COURT OF THE VIII ADDL. SENIOR CIVIL JUDGE
R.R.DISTRICT AT L.B.NAGAR

I.A.NO. 41 OF 2008
IN
O.S.NO. 994 OF 2007

Between:

Sri Vinay Agarwal ... Petitioner/Plaintiff
And
Modi Ventures & another ... Respondents/Defendants

COUNTER AFFIDAVIT FILED ON BEHALF OF
PROPOSED RESPONDENT NO.2

I, Vinod Yedlapati S/o Y.S.N. Sharma, aged 32 years, R/o Boudhanagar, Secunderabad,
do hereby solemnly affirm and state on oath as follows:

1. I am the proposed Respondent No.2 in the above I.A. and also the proposed Defendant No.2 in the main suit and as such I am well aware of the facts deposed hereunder.
2. In reply to paras 1 to 4 of the affidavit I do not have any personal knowledge about them.
3. With regard to para No.5, it is true to the extent that a sale deed was executed in my favour by Respondent No.1 herein which was registered as document No.3605 of 2007 in SRO Uppal. The sale deed is a public document and the Petitioner could have easily obtained a certified copy from the SRO.
4. I submit that at the time of the execution of the sale deed in my favour the Respondent No.1 had clearly told me that there was no pending litigation against the property. I am a bonafide purchaser having purchased the suit schedule property for a valid sale consideration. More over, my sale deed was executed on 15.03.2007. I now understand that the Petitioner herein had filed the above suit along with an application for interim injunction on 23.04.2007 and an interim order was obtained on 24.04.2007.
5. I submit that my Sale deed was executed on 15.03.2007 which is much before the date of filing of the suit and also the date of the interim orders obtained by the Petitioner herein. I, therefore submit that I am not at all a necessary party for the suit and as such the application filed by the Petitioner herein may be dismissed.

I, therefore, pray that this Hon'ble Court may be pleased to dismiss the petition filed by the Petitioner with exemplary costs in the interest of justice.

Sworn and signed before me
on this the 4th day of December, 2009
at L.B.Nagar.


DEPONENT

ADVOCATE / L.B.NAGAR

IN THE COURT OF THE VIII ADDL.
SENIOR CIVIL JUDGE
R.R.DISTRICT AT L.B.NAGAR

I.A.NO. 41 OF 2008
IN
O.S.NO. 994 OF 2007

Between:

Sri Vinay Agarwal
... Petitioner/Plaintiff

And

Modi Ventures & another
... Respondents/Defendants

COUNTER AFFIDAVIT FILED ON BEHALF
OF PROPOSED RESPONDENT NO.2

Filed on: 04.12.2009

Filed by:

**Sri. S.M.Subhani
Advocate**

West Marredpally
Secunderabad.

COUNSEL FOR PROPOSED
RESPONDENT NO.2