DEPOSITION FORM

IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE-CUM-ASSISTANT SESSIONS JUDGE, MEDCHAL, MEDCHAL-MALKAJGIRI DISTRICT.

O.S. No.535/2015

Witness No. PW-2	Occ: Business
Name: Sri. M. Sampath	Address: Safilguda,
S/o: Sri. Shankaraiah	Date: 21.06.2023.
Age: 52 Yrs.	

Oath administered in accordance with the provisions of Oath Act, 44 of 1969 by the presiding officer, Sri. B.Ramesh, Senior Civil Judge-Cum- Assistant Sessions Judge, Medchal, Medchal Malkajgiri District.

Cross-Examination by Learned Counsel for Defendant No.3:

1. The Chief-Examination is containing my signature. Since Defendant No.3 has not registered the land in favour of the PW-1 thereby the suit is filed and he is testifying as one of the plaintiff witness. I have not stated in my chief examination that I have facilitated the plaintiff and defendants to enter into the agreement of sale in respect of the suit schedule property. I am one of the witness to Ex.A1. Agreement of sale dated 24.01.2015. Ex.A1 is containing my signature. The chief-Examination is also containing my signature. It is true that there is difference of the signature in Ex.A1 as well as my chief-Examination filed by way of an affidavit. Witness added that these two signatures belongs to him only.

2. Ex.A1 was signed on 24.01.2015 at the house of the 3rd defendant situated at east Marredpally, Secunderabad. I can give address particulars of 3rd

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Defendant. The 3rd defendant house is situated near to my uncle in Ea
Marredpally however I am unable to give the house number of 3rd defendant.
The 3rd defendant is residing in the same street of my paternal uncle Sri.
Uppalaiah who is M.D of Suman Chit Funds. I am not neighbourer of 3rd
defendant. Ex.A1 is also attested by Ex. Husband of Defendant No.3 by name
Rajesh and one Venkat Ramana and myself. (Witness was unable to identify
the signature of Venkat Ramana) At the time of signing of Ex.A1 by 3rd
Defendant, plaintiff and all attestors to Ex.A1 were present.

3. At the time of execution of Ex.A1 3rd Defendant was also present in the house. As on the date of Ex.A1 Rajesh was the husband of 3rd Defendant. But I do not know whether they were living under one roof or not. The father of the 3rd defendant my close friend and I am one of the tenant of YMCA Marredpally, Secunderabad. The complex is named after Deepthi only thereby I knew the family of 3rd defendant. I do not know Defendant No.1 and 2. I do not know to whom the suit schedule property belongs to. I have stated in my chief-Examination that the 3rd defendant informed she would be taking necessary permission from Hon'ble District Judge for selling of minor defendant property. It is not true to suggest that I do not know the suit schedule property belongs to Defendant No.1 and 2 they are represented by their guardian i.e., 3rd Defendant.

M. Ramu Reddy

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4. In my presence 3rd defendant has singed on Ex.A1. I know that an amount of Rs.12 Lakhs was paid in the year 2010, to 3rd Defendant by way of Cheque towards part of sale consideration and I was present at that time. The amount of Rs.12 Lakhs paid towards hand loan and as the 3rd defendant could not repay the loan the present agreement was entered for Rs.15 lakhs wherein balance amount of Rs.3 Lakhs was to be paid to the 3rd defendant. PW-1 is my friend. C. Rajesh, Ex.husband of 3rd Defendant is also my friend. 3rd defendant is not my friend. I do not know the reason for which the hand loan Rs.12 lakhs was raised in the year 2010. At that time Rajesh and Deepthi approached the plaintiff. I do not know financial status of Rajesh in the year 2010 as well as in the year 2015.

5. It is not true to suggest that I do not know either Rajesh or Deepthi, had it been so I would be knowing they were living separately by the date of Ex.A1. Out of trust Ex.A1 was not registered by the plaintiff. At the time of Execution of Ex.A1 parents of the Deepthi were also present, but I do not recollect their names today. I never enquired with Deepthi with regard to execution of sale deed after 24.01.2015. Witness added that he had been in touch with Rajesh. It is not true to suggest that Ex.A1 is a forged document and we all forged signature of Deepthi on Ex.A1. It is not true to suggest that my assertion that

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in my presence Rs.12 Lakhs were paid to Deepthi in the year 2010 is false and the invented for the purpose of present suit. It is not true to suggest that by 24.01.2015 the marital relationship between Rajesh and Deepthi were strained further I knew this aspect but, purposefully deposing false. It is not true to suggest that since Ex.A1 was never executed in the presence of parents of 3rd Defendant thereby they omitted to sign on it. It is not true to suggest that in collusion with plaintiff, Rajesh and myself, Ex.A1 was created and to help Rajesh and plaintiff I am deposing false.

Cross-examination of D1 and D2: Adopted Cross-examination of D3.

Re-Examination: Nil.

M. Sampath
Deponent

Typed to my dictation in the open court, read over and explained/interpreted to the witness, admitted by him to be correct.

PRL.SENIOR CIVIL JUDGE-CUM-
ASSISTANT SESSIONS JUDGE,
MEDCHAL MEDCHAL DISTRICT