

Witness recalled and duly sworn on 24.4.2019

Cross examination by Advocate for respondent No.2 :

I am a dentist. Sardar K.B. Ramachandra Raje Urs is my uncle. It is true to suggest that Ramachandra Raje Urs died due to cancer. I am not aware of the fact that the said Ramachandra Raje Urs was suffering from cancer for 02 years. I am aware of the fact that Ramachandra Raje Urs underwent surgery for cancer. I do not know that surgery undergone by Ramachandra Raje Urs was painful. It is true to suggest that Ramachandra Raje Urs underwent lot of chemotherapy.

I was not present at the time of drafting of Will by Ramachandra Raje Urs. I do not know who has drafted the said Will. I do not remember the actual date when I had approached Ramachandra Raje Urs. Myself, Mr. Pradeep Kumar and Mr. K.G. Anantharaje Urs were present, when I had been to hospital to see Ramachandra Raje Urs. Nobody else were present. I do not remember whether any persons from the hospital were present at that time. My uncle Ramachandra Raje Urs had called me twice in respect of execution of Will. It is false to suggest that I have put my signature i.e. Ex.R. 15(e) at the office of Sub-registrar. Witness voluntaries that he has put the signature in the hospital. It is false to suggest that I have put the signature on the Will at the office of Sub-registrar. I am not aware of the fact that permission of the doctor or the hospital authority has to be obtained if any will -3-

of the patient is to be executed. My signature i .e., Ex.R 15(d) is put

in the hospital. After preparing the Will we have not gone to the office of the sub-registrar. It is true to suggest that my relationship with respondent no.4 Chanduranga Kantharaje Urs is cordial. Witness volunteers that respondent no.4 is his cousin. It is false to suggest that I have financial dealings with the respondent no.4. Chanduranga Kantharaje Urs.

When I met my uncle in the hospital, he was mentally and psychically well and stable. I have not verified the medical records of my uncle. Before putting my signature on Will, I have not gone through the contents of the Will. It is false to suggest that the signatures of executant of the Will on all pages varies. It is false to suggest that when myself and others went to the hospital, the mental condition of my uncle was not stable. Witness volunteers that respondent no.4 Chaduranga Raje Urs. was not with me on said day. It is false to suggest that in order to help respondent no.4 I am deposing false. It is true to suggest that my uncle Sardar K B Ramachandra Raje Urs was having love and affection equally towards respondents no.1 to 4. It is false to suggest that when I went to the hospital all the signatures on the Will were already affixed. Witness volunteers that all the signatures of Sardar K B Ramachandra Raje Urs were affixed in my presence. The Sub-registrar came to the hospital at about

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5.15–5.30 p.m. I am not aware of the time taken to completion of proceedings. I do not know the name of the sub-registrar. I am not aware of the fact that sub-registrar has not come to the hospital on that date, but it was the staff of the office of the sub-registrar, who

had come to the hospital.

On confronting the Will, the counsel for the respondent no.2 asked the question to the witness as to which of the signature was affixed in the office of the sub-registrar and the answer is that he has not at all went to the office of the sub-registrar.

I have not at all gone to the office of the sub-registrar. I have not seen documents pertaining to Sy.No.1 of Vijayshereepura. I do not know the person who has drafted the Will.

Re-Examination with the permission of the Court.

Further chief examination by counsel for the witness::

Respondent no.1 to 3 are the daughters of Late K.B.Ramachandra Raje Urs and are also my cousins.

Further cross examination by counsel for the respondent no.2

I am one of the trustee of Smt. Padma Jagadish Memorial Charitable Foundation. It is false to suggest that respondent no.4 Chaduranga Kantharaje Urs has donated lot of money to the said Trust. It is true to suggest that the name of respondent no.4 Kantharaje Urs is shown as 'Donor' in the list

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of Donors of the said Trust. It is true to suggest that without any donation we have put the name of respondent no.4 Chaduranga Kantharaje Urs as Donor. Some of the names appearing in the Donors list have donated money. If necessary I will be able to furnish the bank account statement pertaining to the said Trust.

(The counsel for the respondent no.4 prays time for cross)

Typed to my dictation in the open Court.

R.O.I. & A.C.

Prl.Sr.Civil Judge & CJM.,
Mysuru.