

BEFORE THE MASTER,
HIGH COURT, MADRAS.

E.P.No.165 of 2018
and
E.P. No.166 of 2018

DATE : 12.09.2025
TIME : 03.05 P.M.

Evidence of Mr.A.Prabhakar Reddy, P.W.1, aged 73 years,
S/o.Mr.A.Seshu Reddy, having office at No.115, 3rd Floor, 1st Stage, 10th
Cross, Indira Nagar, Bangalore 560 038.

Cross Examination by Mr.V.Ashok Kumar for Mr.Su.Srinivasan,
Counsel for Respondent

SOLEMNLY AFFIRMED:

Q:You have filed two E.P No.165/2018 and E.P No.166/2018?

A:Yes.

Q:It is correct to state that you have added a sum of Rs.6,61,47,469/- in
E.P.No.165/2018?

A:Yes.

Q:It is correct to state that the amount of Rs.6,61,47,469/- includes principal
amount with interest?

A:I am not very sure, I have to see my records.

Q:It is correct to state that you have arrived the aforesaid amount upto the date of filing of the E.P petition?

A:I have to see the records.

Q:It is correct to state that in the E.P 156 of 2018 is concerned the total amount is Rs.12,25,14,253/- consists of principle and interest together?

A:The principle is the arbitral award amount and the interest is the percentage given by the award.

Q:Both the E.Ps that is mentioned, is that final?

A:It cannot become final, it is just the part of the due amounts.

Q:I put it to you that even in the claim petition and in the award there is no mention or relief granted regard to GST?

A:Yes. It is not there. (Witness adds:It was not there because, the GST only came subsequent to the award).

Q:Are you aware the Judgment Debtor has deposited the amount claimed by you in both the E.Ps on 15.11.2019 to the credit of the said E.Ps?

A:Yes.

Q:So, is it correct to state that you have withdrawn 50% of the deposited amount in both the E.Ps?

A:No.

Q:I put it to you that out of 13 documents marked as Exhibits by me along with my proof affidavit, only 4 documents (A3, A4, A11, A12) are genuine?

A:No. It is not correct.

Q:Other than the 4 exhibits, other exhibits does not contain acknowledgment card and the postal receipt and so they are not genuine?

A:No, it is genuine. I have the proof of postal receipt.

Q:Have you marked the postal receipt as an exhibit before this court?

A:No.

Q:I put it to you that you have filed two applications 975 & 976/2019 and with the order of the court you have withdrawn 50% each of the deposited amount in both the E.Ps?

A:I deny. Through the court's order I have withdrawn only 40% from both the E.Ps together.

Q:I put it to you that claim which is not mentioned in the claim petition and the claim not awarded in the award, you have no rights to claim beyond the award amount in both the E.Ps?

A:Partially yes, but it becomes mandatory when the Government act comes into force.

Q:As a Judgment Debtor I have deposited the principle amount and the interest amount as claimed by you in both the execution petitions so there is no further dues by the Judgment debtor to the decree holder?

A:No. It is not correct.

TIME: 03.55 P.M

Taken down in open court, read and admitted by the witness to be correct and signed before me.

SR

MASTER