

Witness called and duly sworn on: 21.01.2025

CROSS EXAMINATION BY: SRI. MVG LEARNED COUNSEL FOR RESPONDENT NO.2:

1. When the deceased met with accident, I was at government hospital Berya. I was informed about the accident by my son on the same day. My son was informed about the accident by some other person, whose name I do not know.

2. Immediately after the accident the deceased Sri. Jayashila was admitted to K.R. Nagara government hospital and later he was admitted to Spandana hospital Mysuru. I do not know if from K.R Nagara government hospital the deceased was admitted to K.R hospital Mysuru. At the time of accident my husband was proceeding as a pillion rider and the said motor cycle was manned by my brother in-law by name Sri, Murthy. The petitioner was coming to hospital to see me when the accident occurred. I do not know the registration number of the motor cycle on which the deceased was proceeding at the time of accident however it was owned by the said Sri. Murthy.

3. I was informed that the deceased was proceeding as a pillion rider by my son. I know the witness cited as CW3 in the Ex.P3 chargesheet. Since the said Sri. Sachin is a resident of the same village where I reside, my husband as well as I knew him personally even prior to the accident. It is false to suggest that inspite of being aware that the alleged accident occurred when the deceased was proceeding with the said Sri. Sachin in his Motor cycle, yet the said Sri. Murthy and his vehicle were falsely implicated to facilitate our claims.

4. The FIS pertaining to the accident was lodged by my son Sri. Sagar, next day after the occurrence of the accident. I do not know who admitted my husband to government hospital K.R Nagar and thereafter to K.R hospital Mysuru and Spandana hospital. I also do not know the details of the vehicle in which the deceased was admitted to hospital. The said Sri. Murthy had sustained minor injuries. He did not obtain any treatment for the injuries sustained by him. It is false to suggest that the very fact that said Sri Murthy did not sustain any injuries goes to show that he was not riding the motor cycle at the time of accident.

5. I have not produced any document to show that the deceased was admitted to K.R. Nagara government hospital and K.R hospital. It is false to suggest that in order to suppress the true facts the said medical records have been intentionally withheld from this court. Both my children are pursuing their studies. It is true to suggest that my husband was not wearing the helmet. It is false to suggest that due to the negligence shown by my husband he suffered injuries which resulted in his death.

6. It is false to suggest that the averments in my petition as well as my affidavit regarding avocation, income and age of the deceased are all false. It is false to suggest that in spite of being aware that the deceased was not traveling in the motor cycle bearing No. KA-55-R-7766 at the time of accident and the said motor cycle is nowhere concerned to the accident resulting in my husband's death, the vehicle and its rider have been falsely implicated to support my claim for compensation. It is false to suggest that as the present claim petition is based on false

facts and created documents, the respondent No.3 company is not liable to pay any compensation to me and other petitioners

Deferred for further cross examination of PW.1.

RE - EXAMINATION : NIL

(Typed to my dictation in the open court)

R.O.I. & A.C.

Sd/-

Prl.Judge ,
Court of SC., & MACT., Mysuru