

WITNESS IS PRESENT AND DULY SWORN ON : 02.02.2026

**Cross Examination by Sri.VSN Advocate for R2 /
Insurance company :**

- 1) It is true to suggest that I have not given treatment to the petitioner by name Pavan Kalyan at any point of time. While assessing the disability of the petitioner I have seen three Discharge Summaries and one wound certificate pertaining to injured / Pavan Kalyan.
- 2) The upper 1/3rd below knee of the right leg of the petitioner has been amputated.
- 3) The length of the stump (remaining portion after surgical excision) of the right leg of the petitioner below the knee is around 8 centimeter.
- 4) I have produced the X-ray film pertaining to said Pavan Kalyan. It is false to suggest that as per the X-ray / Ex.P.21, the amputation has been done to the middle 1/3rd

shaft of tibia bone of petitioner. It is false to suggest that only with an intention to help the petitioner I have wrongly mentioned to the effect that petitioner sustained below 1/3rd of right knee.

- 5) It is true to suggest that the implants are still in situ. It is true to suggest that the alignment of the right femur is normal. The witness volunteers that "however, there is non union of the fractured bone of the femur bone of the petitioner".
- 6) It is false to suggest that intentionally I have not produced the Radiological report pertaining to petitioner / Pavan Kalyan. It is false to suggest that the fractured bones of the petitioner have already been completely united.
- 7) It is true to suggest that I have advised petitioner for corrective surgery, however, I do not know whether the doctor, who

treated the petitioner, has advised so or not.

8) The wholebody disability of the petitioner would be around 75%.

9) It is false to suggest that only 1/3rd of the percentage of disability of the particular limb will become wholebody disability.

10) I have assessed the disability of the petitioner on the basis of the guidelines prescribed by the Central Government. It is true to suggest that in the said guideline it is not specifically mentioned that what percentage of the extent of disability of the particular limb will become wholebody disability, however, in Workmen's compensation Act there is such indication.

11) **Question:** Do you know that a guideline is, in fact, available wherein it is

specifically mentioned that how the wholebody disability is to be derived out of the limb disability ?

Answer : I do not know.

12) I do not know that the entire world considers the American book on orthopedic disability conditions as the authoritative book. It is false to suggest that the guidelines published by the Indian Government is based on the said American guidelines.

13) I do not know that the American Government has published a chart wherein a specific percentage of disability is mentioned on the basis of length of amputation.

14) It is false to suggest that if we calculate the percentage of disability of the petitioner by keeping the American guidelines as the touch stone, then, the wholebody disability of the petitioner does

not exceed 30 to 35%.

15) It is false to suggest that the chart which is available in the American guidelines is not available in the Indian guideline, and taking advantage of the same, I have given more percentage of disability than the actual percentage of disability sustained by the petitioner.

16) It is false to suggest that I have intentionally mentioned the higher price for the artificial limbs.

17) It is false to suggest that only with an intention to help the petitioner I am giving false evidence before this court.

Cross examination by R1:

R1 is exparte. Hence cross examination, by R1, is taken as nil.

(9)

SCCH – 01
MVC No.1329/2025
PW2

Re-examination : Nil.

(Computerized as per my dictation in open court)

R.O.I.&.A.C.

CHIEF JUDGE,
Court of Small Causes,
Bengaluru.