

SCCH-04

WITNESS CALLED AND DULY SWORN ON :05.03.2025

CROSS EXAMINATION BY SRI TK LEARNED COUNSEL FOR RESPONDENT

No.2:-

I am not the treated doctor. I have assessed the disability upon the 2 discharge summary and wound certificate of the petitioner. I have seen the old x-rays and IP records. It is true to suggest that the difficulties if any mentioned in the affidavit if suffered by petitioner, who has taken follow up treatment generally the same would be mentioned in follow up records. It is true to suggest that there is improvement in the health condition of the petitioner. It is true to suggest that there is no fractures in left leg. I do not know that as there are no fractures in left leg the injuries are simple in nature. It is false to suggest that as there are no fractures the disability does not arise. As per the guidelines disability in respect of the range of movements at hip is 35% knee 35% and ankle 20%. I have followed recent central govt notification in assessing the disability. As per the guidelines the maximum assessment of disability in respect of range of movement is 35%. the 52% disability is arrived by combining both ROM and stability

components. 28% of disability is arrived by combining ROM and loss of muscle power. It is false to suggest that there is no fracture in knee therefore the restriction of range of movement in respect of knee. It is true to suggest that fracture are unite. It is false to suggest that the disability is to be assessed as 1/3rd towards whole body rather than 50%. It is false to suggest that if 35% disability is assessed to hip joint then 1/3rd disability is to be assessed to whole body. By way of medical practice and experience in medical field I have assessed the dis as 50% of the whole body. It is false to suggest that on imaginary basis I have assessed the disability to the whole body without following any guidelines. It is false to suggest that I have assessed the disability against the guidelines as 52% towards lower limb and 26% to the whole body. It is false to suggest that to help the petitioner I have assessed the disability on higher end. It is false to suggest that as I am not the treated doctor I am not authorized doctor to assess the disability. It is true to suggest that I have assessed the physical disability of the petitioner. I have not issued any certificate to the petitioner stating that petitioner can not do any work. I have not given any estimation for removal of implants. It is false to suggest that

Rs.40,000/- is not necessary for estimation cost towards to follow up implants. It is true to suggest that the petitioner has taken treatment at govt hospital. I have not submitted x-ray reports. It is false to suggest that to help the petitioner I have filed false affidavit and deposing false before this court.

Re-examination: NIL

(Computerized to my dictation in the Open Court)

R.O.I & A.C.

XVIII ADDL. SCJ.