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SCCH – 01
MVC No.3476/2024
PW2

WITNESS PRESENT AND DULY SWORN ON : 13.06.2025.

Cross Examination by Sri.HKR Advocate for R1 :

1) **Question:** Whether the petitioner Yogeshaiah has taken any treatment in General hospital, Magadi ?

Answer : No such information is available in our documents.

2) The petitioner was admitted to Sanjaygandhi hospital on 06.04.2024. As per the information available in the documents the accident had taken place on 05.04.2024. I plead my ignorance if I am asked to say that whether the Sanjaygandhi hospital authority has issued any wound certificate to petitioner Yogeshaiah.

3) I have treated that Yogeshaiah.

4) It is true to suggest that the fracture injury sustained by Yogeshaiah has been completely united. It is true to suggest that at the time of discharge the condition of patient / Yogeshaiah was stable. From the date of discharge till today the petitioner Yogeshaiah has taken followup treatment in our hospital as outpatient. I have not produced any outpatient receipts. The witness volunteers that "those outpatient receipts will be with the patient".

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- 5) The petitioner / Yogeshaiah had slow and gradual progress in his physical condition. It is true to suggest that always the doctors would suggest for physiotherapy to the patients. I do not possess any documents to show that the petitioner Yogeshaiah had / has taken physiotherapy.
- 6) It is true to suggest that the petitioner Yogeshaiah had not sustained any fracture injuries to any of his joints. It is true to suggest that I have given percentage of disability pertaining to the knee joint and ankle–foot joint of Patient / Yogeshaiah.
- 7) It is true to suggest that the petitioner Yogeshaiah has not sustained any shortening of leg, loss of muscle strength and nerve damages.
- 8) It is true to suggest that I have given 23% of disability on stability component.
- 9) **Question** : What is the basis for this conclusion that petitioner sustained 23% of disability on stability component ?

Answer : The patient / Yogeshaiah had difficulty in walking on slope, climbing the stairs / steps and climbing down the

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steps and difficulty in standing on affected leg, squatting and sitting cross leg. Therefore, considering these difficulties I have stated that petitioner has got 23% of disability as far as stability component is concerned.

- 10) On the basis of the clinical examination we decide the percentage of disability or physical impairment of the patient concerned. I have prepared the clinical notes while doing clinical examination of petitioner, and that clinical notes are also part and parcel of the file which I have submitted to the Court. It is false to suggest that there is no reference about clinical notes in Ex.P.14.
- 11) It is true to suggest that the petitioner got amounts from Chief Minister Fund towards the medical expenses. It is false to suggest that the percentage of disability gets reduced after the removal of implants.
- 12) I do not know anything about the avocation of the petitioner. It is false to suggest that whenever an injured person does not sustain any loss of muscle strength and when there is no mal-union of fractured bone, the question of sustaining any permanent physical impairment does not

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arise at all.

- 13) There is no radio-logical report in relation to Ex.P.16.
- 14) It is false to suggest that the petitioner never sustained any permanent disability and petitioner never taken any followup treatment, **yet**, I am deposing false before this court only with an intention to help the petitioner.
- 15) It is false to suggest that whatever the percentage of disability I have given is full of imagination and exaggeration and baseless. It is false to suggest that I am deposing false before this court only to facilitate the petitioner to get higher compensation. It is false to suggest that I have created documents only to help the petitioner.

Re-examination : Nil.

(Computerized as per my dictation in open court)

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

CHIEF JUDGE,
Court of Small Causes,
Bengaluru.