

WITNESS IS PRESENT AND DULY SWORN ON: 12.08.2025.

**Chief Examination by Sri.DGM Advocate for
Petitioner:**

1. Today I have filed my affidavit in lieu of my examination in chief. The contents of the affidavit are true and correct. My Affidavit filed in lieu of my examination in chief has been prepared by me.

2. I have produced the Outpatient record and 1 X-ray film pertaining to injured person. The said documents are marked as **Ex.P.15 and 16 respectively.**

Cross Examination by Sri.TKR Advocate for R2 :

- 1) It is true to suggest that I have not treated the injured person namely Maruthi Ramesh at any point of time. I have seen the wound certificate and Discharge Summary of the ESI hospital, Bengaluru, and after wards I assessed the disability of the petitioner.

- 2) It is true to suggest that whenever a

patient complains some problems, the same will be mentioned in the followup treatment documents.

- 3) It is true to suggest that if the petitioner had taken followup treatment, as per the advise of the doctors, the problems mentioned in para No.5 and 6 of my Affidavit would have not arisen.
- 4) It is true to suggest that the condition of the petitioner has improved from the date of discharge till the date on which I have clinically examined him.
- 5) It is true to suggest that the fractured bones of petitioner are united and implants are already removed.
- 6) It is false to suggest that as the petitioner is a young boy of 11 years old, the present disability will improve over a time, since the fractures are united.

- 7) It is true to suggest that the implants will be removed only after the complete healing of the fracture. I have counseled the patient.
- 8) It is true to suggest that if the petitioner follows my advise and instructions, there is every possibility of reduction of the percentage or severity of the problem which, now, the petitioner is facing.
- 9) The range of movement will be measured with the help of Goniometer. The petitioner can walk with little difficulty.
- 10) It is false to suggest that since the mobility and stability components are interconnected in the lower limb, only 1 component has to be taken into consideration while assessing the disability of the patient.
- 11) It is false to suggest that only with an

intention to help the petitioner I have given more percentage of disability than the actual disability sustained by the petitioner.

12) It is true to suggest that the petitioner can do co-ordinated activities **on his own**. The witness volunteers that "with little difficulty he can do".

13) It is false to suggest that as the fractured bones of the petitioner are united, and as the implants had already been removed, the petitioner does not have the disability as I mentioned in the Ex.P.15 and in my examination in chief.

14) It is true to suggest that the petitioner has no difficulty in studies due to this injuries. It is false to suggest that since I have not given any treatment to the petitioner, I am incompetent to assess the disability of the petitioner.

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

Cross examination by R1:

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

Re-examination : Nil.

(Computerized as per my dictation in open court)

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

CHIEF JUDGE,
Court of Small Causes,
Bengaluru.