

ದಿನಾಂಕ: 14-02-2024 ರಂದು ಸಾಕ್ಷಿಯನ್ನು ಕರೆಯಿಸಿ ಪ್ರಮಾಣ ವಚನ ಬೋಧಿಸಲಾಯಿತು.

ಮುಖ್ಯ ವಿಚಾರಣೆ: ಅರ್ಜಿದಾರರ ಪರ ವಕೀಲರಿಂದ:

ನಾನು ಎಂಪಿಸಿ ನಂ.370/2023, 371/2023, 372/2023 ಮತ್ತು 373/2023 ರಲ್ಲಿ ನನ್ನ ಮುಖ್ಯ ವಿಚಾರಣೆಯ ಹೇಳಿಕೆಯನ್ನು ಪ್ರಮಾಣ ಪತ್ರದ ಮೂಲಕ ಸಲ್ಲಿಸಿದ್ದು, ಅದರಲ್ಲಿ ಬರೆದಿರುವ ಸಂಗತಿಗಳು ಸತ್ಯವಾಗಿವೆ ಮತ್ತು ಅದಕ್ಕೆ ನಾನು ನನ್ನ ಸಹಿ ಮಾಡಿರುತ್ತೇನೆ.

ಎಂಪಿಸಿ ನಂ.370/2023

1. ಪ್ರ.ವ.ವ. ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-1
2. ದೂರಿನ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-2
3. ನಿಪಿ-2 ರ ಅನುವಾದಿತ ದಾಖಲೆ ನಿಪಿ-2(ಎ)
4. ಅಪಘಾತ ಸ್ಥಳ ಪಂಚನಾಮೆಯ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-3
5. ನಿಪಿ-3 ರ ಅನುವಾದಿತ ದಾಖಲೆ ನಿಪಿ-3(ಎ)
6. ಇನಕ್ವೇಸ್ಟ್ ಪಂಚನಾಮೆಯ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-4
7. ನಿಪಿ-4 ರ ಅನುವಾದಿತ ದಾಖಲೆ ನಿಪಿ-4(ಎ)
8. ಪಿಎಂ ವರದಿಯ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-5
9. ಎರಡು ಐ.ಎಂ.ವಿ. ವರದಿಯ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-6 ಮತ್ತು 7
10. ದೋಷಾರೋಪಣ ಪತ್ರದ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-8
11. ನಿಪಿ 2 ರಿಂದ 4ನು ಅನುವಾದಿಸಿದ ವಕೀಲರ ಪ್ರಮಾಣ ಪತ್ರ ನಿಪಿ-9
12. ಮೃತಳ ಆಧಾರ ಕಾರ್ಡಿನ ನೋಟರಿಕೃತ ಯಥಾ ನಕಲು ನಿಪಿ-10

13. ಅರ್ಜಿದಾರರಾದ ನಮ್ಮ ಆಧಾರ ಕಾರ್ಡಿನ ನೋಟರಿಕೃತ ಯಥಾ ನಕಲುಗಳು

ನಿಪಿ-11 ರಿಂದ 13.

14. ನನ್ನ ಪುನ ಕಾರ್ಡಿನ ನೋಟರಿಕೃತ ಯಥಾ ನಕಲು ನಿಪಿ-14

ಎಂಪಿಸಿ ನಂ.371/2023

15. ಪೊಲೀಸರ ಮನವಿ ಪತ್ರ ಮತ್ತು ಗಾಯದ ಪ್ರಮಾಣ ಪತ್ರದ ದೃಢೀಕೃತ ನಕಲು

ನಿಪಿ-15

16. ಡಿಸಚಾರ್ಜ್ ಕಾರ್ಡ್ ನಿಪಿ-16

17. ಮೆಡಿಕಲ್ ಸರ್ಟಿಫಿಕೇಟ್ ನಿಪಿ-17

18. 13 ಮೆಡಿಕಲ್ ಬಿಲ್ಲುಗಳು ನಿಪಿ-18

ಎಂಪಿಸಿ ನಂ.372/2023

19. ಮೃತ ಕೃಷ್ಣಹರಿ ಆಧಾರ ಕಾರ್ಡಿನ ನೋಟರಿಕೃತ ಯಥಾ ನಕಲು ನಿಪಿ-19

20. 2 ಮತ್ತು 3ನೇ ಅರ್ಜಿದಾರರ ಆಧಾರ ಕಾರ್ಡಿನ ನೋಟರಿಕೃತ ಯಥಾ

ನಕಲುಗಳು ನಿಪಿ-20 ಮತ್ತು 21.

21. ಮೃತನ ಇನಕ್ವೇಸ್ಟ್ ಪಂಚನಾಮೆಯ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-22

22. ನಿಪಿ-22 ರ ಅನುವಾದಿತ ದಾಖಲೆ ನಿಪಿ-22(ಎ)

23. ಪಿಎಂ ವರದಿಯ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-23

24. ಮರಣದ ಕಾರಣದ ಪ್ರಮಾಣ ಪತ್ರದ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-24

25. ಪಿಎಂ ಮಾಡಲು ಪೊಲೀಸರು ವೈದ್ಯರಿಗೆ ಕಳುಹಿಸಿದ ಇಂಟಿಮೇಶನ ದೃಢೀಕೃತ

ನಕಲು ನಿಪಿ-25

26. ನಿಪಿ-25 ರ ಅನುವಾದಿತ ದಾಖಲೆ ನಿಪಿ-25(ಎ)

27. ಸ್ವೇಶನ ಡೈರಿಯ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-26
28. ಮೃತನ ಮೆಡಿಕಲ್ ಪ್ರಮಾಣ ಪತ್ರ ನಿಪಿ-27
29. 18 ಮೆಡಿಕಲ್ ಬಿಲ್ಲುಗಳು ನಿಪಿ-28

ಎಂಪಿಸಿ ನಂ.373/2023

30. ಮೃತ ಶಾರದಾಳ ಆಧಾರ ಕಾರ್ಡಿನ ನೋಟರಿಕೃತ ಯಥಾ ನಕಲು ನಿಪಿ-29
31. ಮೃತಳ ಇನಕ್ವೇಸ್ಟ್ ಪಂಚನಾಮೆಯ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-30
32. ನಿಪಿ-30 ರ ಅನುವಾದಿತ ದಾಖಲೆ ನಿಪಿ-30(ಎ)
33. ಪಿಎಂ ವರದಿಯ ದೃಢೀಕೃತ ನಕಲು ನಿಪಿ-31

ಕಾರಣ, ಅರ್ಜಿಯಲ್ಲಿ ಕೇಳಿದಂತೆ ಪರಿಹಾರಕ್ಕೆ ಆದೇಶ ಮಾಡಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

ಮುಂದುವರೆದ ಮುಖ್ಯವಿಚಾರಣೆಯನ್ನು ಅರ್ಜಿದಾರರ ಪರ ವಕೀಲರ ಕೋರಿಕೆಯ ಮೇರೆಗೆ ಮುಂದುವರಿಸಲು.

(ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ನನ್ನ ಹೇಳಿಕೆ ಮೇರೆಗೆ ಗಣಕ ಯಂತ್ರದಲ್ಲಿ ಬೆರಳಚ್ಚು ಮಾಡಲಾಯಿತು.)

ಓ ಹೇ ಕೆ ಸರಿ ಅದೆ

4ನೇ ಅಧಿಕ ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಧೀಶರು,
ಬೆಳಗಾವಿ.

ದಿನಾಂಕ: 14-01-2026 ರಂದು ಸಾಕ್ಷಿಯನ್ನು ಕರೆಯಿಸಿ ಪ್ರಮಾಣ ವಚನ ಬೋಧಿಸಲಾಯಿತು.

9. ಮುಂದುವರೆದ ಮುಖ್ಯ ವಿಚಾರಣೆ: ಅರ್ಜಿದಾರರ ಪರ ಶ್ರೀ. ಪಿ.ಎಸ್.ಜಿ. ವಕೀಲರಿಂದ:

Sl.No.	Descriptions	Marked as
1	Disability certificate issued by Dr.S.R. Angadi	Ex.P62
2	X-ray report	Ex.P63
3	Receipt	Ex.P64
4	2 X-ray films marked together	Ex.P65

ನಾನು MVC 370/2023 ರಲ್ಲಿ ನನ್ನ ಮೃತ ಹೆಂಡತಿಯಾದ ಸ್ವಪ್ನಾಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಯಲ್ಲಿ ಕೋರಿದಂತೆ ಆದೇಶ ಮಾಡಬೇಕೆಂದು ಕೋರಿಕೊಳ್ಳುತ್ತೇನೆ.

ಪಾಟೀ ಸವಾಲು: 2ನೇ ಎದುರುದಾರ ಪರ ಶ್ರೀ. ಎಂ.ಡಿ.ಟಿ. ವಕೀಲರಿಂದ:

10. I have studied until degree in Arts which I could not complete. I am aware of the documents furnished before this tribunal. It is true to suggest that I reside along with my 2 children in Solapur Maharashtra. It is true to suggest that my children are getting education at Solapur Maharashtra. It is true to suggest that address in Aadhar Card also bears Solapur

Maharashtra. It is true to suggest that I have come from Solapur Maharashtra to give evidence in this case.

11. I was residing in Belagavi in rented house. I have not furnish documents to show that I have residing in Belagavi. I am not aware who is owner of the that rented house as my friend got the said house on rent. It is false to suggest that I am deposing falsely I was residing in Belagavi in rented house.

12. It is true to suggest that all the police documents show my address as Solapur Maharashtra. It is false to suggest that only to file the said petition before this tribunal I am deposing falsely that I am residing in Belagavi.

13. The said accident occurred in February 2020. We were traveling from Solapur to Tirupati and around 10 persons were traveling in the said croosher vehicle. The said vehicle belongs to my father's friend. I am not aware how many vehicle respondent No.1 was possessive.

14. The persons traveling in the said vehicle were my relatives. I

am not aware of the rent paid to the vehicle as my father paid the same.

15. It is true to suggest that accident occurred in Telangana National highway No.44. I am not aware who gave the complaint in this case. It is true to suggest that the manner of accident mentioned in the complaint is true. It is false to suggest that complaint is lodged against rider of the motor cycle No.TS-06-KE-8391/Respondent No.3 and not against driver of the crooser. It is true to suggest that as per spot sketch marked as Ex.P3 there is divider shown in the center of the road. I have not seen whether that motor cycle came in wrong side on the national highway.

16. It is false to suggest that since motor cycle came on the wrong side of the road driver of the crooser took on the left side and dashed to water bridge. It is false to suggest that in the FIR it is mentioned that said accident occurred due to fault of driver of the motor cycle. I am not aware that charge sheet as Ex.P8 is as

against rider of the motor cycle and respondent No.3/owner of the motor cycle. It is false to suggest that after coming to know that rider of the motor cycle had not license or insurance to the said motor cycle, in collusion with the police, false charge sheet is filed against crooser. It is false to suggest that since the charge sheet is falsely filed against driver of the crooser, respondent No.2 company is not liable to pay compensation to the petitioner.

17. After the accident 3 persons Sapna, Sharada and Dattatreya lost their life on the spot, later 2 persons lost their life during treatment who are Krishnahari and Yallappa.

18. It is false to suggest that I have not spent Rs.1,00,000/- for funeral expenses in MVC No.370/2023, 372/2023 and 373/2023.

19. I was working as tailor and earning around Rs.5,000/- to Rs.6,000/- per month and in that earning I was taking care of my wife and children. I was depending on my father, mother and wife apart from my earning for a living. It is false to suggest that

I was not dependent on my parents and wife and in order to get compensation I am deposing falsely.

20. I have sustained injuries on my left hand and left leg due to the accident and I was admitted in Vanaspati Hospital in Mehabub Nagar, Telangana and later admitted Markandey Hospital Solapur Maharashtra. Later I was admitted to Ashwini Hospital and I have furnished the documents pertaining to Ashwini hospital. It is true to suggest that in Ashwini hospital they have given me a good treatment. It is true to suggest that after I was completely cured I was discharged from the hospital.

21. I can not say the name of the doctor who treated in Ashwini hospital. The doctor who operated me got transferred so I did not take disability certificate from Ashwini hospital. It is false to suggest that since I was physically fit Ashwini hospital doctor has not issued me any disability certificate. It is false to suggest that I have furnished false disability certificate in order to avail maximum compensation. It is false to suggest that I have

furnished false medical bills in order to avail maximum compensation. It is true to suggest that I have not furnished any documents to show that I took followup treatment. It is false to suggest that at the time of accident my age was 35 years and I am deposing falsely that I was aged 28 years.

22. It is true to suggest that I have not furnished any documents to show that I was earning Rs.30,000/- from tailoring work. It is false to suggest that I am working as earlier and I have no any disability due to the accident. It is false to suggest that the contents of para 4 of my affidavit in MVC No.371/2023 is false.

23. It is false to suggest that although deceased Swapna was aged above 30 I have mentioned it as 27 years. It is true to suggest that I have not furnished any documents to show that my wife deceased swapna was earning Rs.25,000/- from coolie work. It is false to suggest that the contents of para 4 of my

affidavit in MVC No.370/2023 is false.

24. It is false to suggest that although deceased Krishnahari was aged above 65 I have mentioned it as 59 years. It is true to suggest that I have not furnished any documents to show that my father deceased Krishnahari was earning Rs.25,000/- from coolie work. It is false to suggest that the contents of para 3 of my affidavit in MVC No.372/2023 is false.

25. It is false to suggest that although deceased Smt. Sharada was aged above 65 I have mentioned it as 50 years. It is true to suggest that I have not furnished any documents to show that my mother deceased Sharada was earning Rs.25,000/- from coolie work. It is false to suggest that the contents of para 4 of my affidavit in MVC No.373/2023 is false.

26. It is false to suggest that the medical bill produced are

created in order to get maximum compensation. It is false to suggest that I have not spent around Rs.2,50,000/- for treatment and required Rs.1,00,000/- future medical treatment. It is false to suggest that the contents of para 3 of my affidavit in MVC No.371/2023 are false.

27. My brother Sagar is working as photographer and another brother Akash is working as driver, who are petitioner No.2 and 3 in MVC No.372 and 373/2023. Both my brothers are married and earning around Rs.15,000/- to Rs.20,000/- per month. It is true to suggest that out of the earning they take care our family. It is false to suggest that since my brother were earning they were not financially dependent on my deceased parents in MVC No.372 and 373/2023.

28. It is false to suggest that said accident was due to the fault of rider of motor cycle and in order to get compensation I am

deposing falsely.

Re-examination Nil

(ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ನನ್ನ ಹೇಳಿಕೆ ಮೇರೆಗೆ ಗಣಕ ಯಂತ್ರದಲ್ಲಿ ಬೆರಳಚ್ಚು
ಮಾಡಲಾಯಿತು.)

ಓ ಹೇ ಕೆ ಸರಿ ಅದೆ

4ನೇ ಅಧಿಕ ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಧೀಶರು,
ಬೆಳಗಾವಿ.