

Witness duly sworn on 25.02.2025

Cross Examination by Smt.APR, Learned Counsel for Respondent:

I have treated injured in Casualty of our Hospital. I along with casualty medical officer recorded history of the accident. I have not issued wound certificate in this case. Casualty department refer patient to the concerned department for further treatment on the basis of injuries inflicted/sustained by the patient. We record past history of the injured prior to initiation of the treatment. Injured is suffering from Heart ailment. It is incorrect to suggest that, we injected pencilin as injured was suffering from tuberculosis at the time of treatment.

2. Injured is discharged as per my advice after the treatment. K wire fixed to left medial malleoll was removed when injured admitted to our hospital on second time. We issue discharge summary for each admission and discharge. I am not aware as to treatment availed by injured from department of urology from 25.04.2023 to 29.04.2023 and 10.11.2023 to 13.11.2023. It is true to suggest that, treatment availed by injured from urology department is not connected with the accidental injuries.

3. I have seen injured on 15.07.2024 for the purpose of disability assessment after discharge of the injured from the hospital. I have not taken check X-ray on the date of disability assessment. Witness volunteers, I have taken X-ray prior to 15.07.2024. Upper and lower limb fractures were malunited at the time of disability assessment. We provided physiotherapy to the injured in our hospital when he was taking treatment as inpatient.

4. Treatment was completed as on 15.07.2024. Muscle strength of the upper limb was normal at the time of disability assessment. I have enquired avocation of the injured at the time of disability assessment. It is incorrect to suggest that, bone density of the patient will decrease in case patient suffering from urology ailments. Injured sustained fracture to right hand. It is incorrect to suggest that, for particular limb assessment of disability should not exceed more than 25%. Assessment of disability should not exceed 100%.

5. Age factor contributes reduction of muscle strength but not the joint movement. Injured visited our hospital with the help of wheel chair for assessment. I assessed only physical disability of the injured/petitioner. I have not treated maxio facial injuries sustained by the petitioner. It is incorrect to suggest that, disability assessed as per Ex.P.10 is exaggerated and petitioner has not sustained permanent partial disability as mentioned in Ex.P.10. It is incorrect to suggest that, disability sustained by the petitioner is not connected with the accidental injuries.

Learned counsel for R1 present and adopts the cross examination of Learned counsel for R2.

Re-Examination: Nil

(Typed to my dictation in the open court.)

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

**I Addl. District & Sessions Judge,
Mangaluru, D.K.**