

-3-

IV ADDL. DISTRICT AND SESSIONS JUDGE HASSAN (SIT AT
CHANNARAYAPATNA)

MVC No: 697/2025

PW: 2

Witness present and Duly Sworn on: 07.08.2026.

Examination in chief by way of Affidavit of Petitioner:

I have filed my affidavit in lieu of examination in chief. The contents of affidavit are true and correct. I have given instructions to prepare the affidavit. It bears my signature.

I have produced the documents and marked as under:

ExP13: An attested copy of MLC register extract

ExP14: Case file

ExP15: Old X-rays (3 in numbers)

ExP16: Latest X-ray

Cross-examination by Sri. DRK Advocate for Respondent

No.2 :

1) The claimant has taken first aid treatment at government hospital, Channarayapatna. It is true to suggest that the mode of accident is recorded in the administration register. It is false to suggest that on examination, we came to know that claimant had consumed alcohol at the time of

accident. It is true to suggest that there is possibility of suffering the injuries mentioned in the wound certificate in case of slip and fall from the bike.

2) We used to mention all the details of the vehicle involved in the accident in case the claimant or attendant provide information. It is false to suggest that I have created the case sheet in order to help claimant after sending MLC intimation to the concerned police.

3) Claimant has taken treatment as inpatient in our hospital for 6 days. On the date of discharge of the claimant, check X-ray was taken. It is true to suggest that as per the check X-ray, the surgery is satisfactory. It is true to suggest that after discharge on 03.02.2025, there are no documents to show follow up treatment. During follow up treatments, we have taken Check X-rays on OPD basis. It is partially true to suggest that as per the check X-rays taken during follow up treatment, the fracture was united, witness further states that the healing process was in progress.

-5-

4) It is false to suggest that I have purposefully made wrong mention in my affidavit that on recent examination of the claimant, it is found that malunion of fracture. I have prepared clinical notes, but not produced before this court. It is false to suggest that there is no malunited fracture of Tibia of claimant. It is false to suggest that I have given exorbitant calculation in assessing the permanent disability in order to help the claimant. I have mentioned total disability of a left lower limb. We will not usually mention the whole body disability and by practice 1/3rd of the disability of particular limb will be taken to assess the whole body disability. I have not issued separate disability certificate. A typographical error crept out in my affidavit by mentioning that permanent disability to right lower limb instead of left lower limb.

5) I have not given estimation in respect of future surgery expenses. It is false to suggest that in order to help the claimant, I have filed false affidavit and deposing false evidence in support of the affidavit.

-6-

Cross-examination by Sri. BCM Advocate for the R1:

(R1 absent. No representation. Cross-examination is taken as nil).

Re-examination: Nil.

(Computerized to my dictation in the open court)

ROI & AC

IV Addl District and Sessions Judge
Hassan (Sit at Channarayapatna)