

KAMD600010392023



**IN THE COURT OF I ADDL SENIOR CIVIL JUDGE AND
MACT., AT PANDAVAPURA**

Dated this the 29th day of June - 2026

:PRESENT:

SRI.BABU.N., B.Com., LL.B.,
I Addl. Senior Civil Judge and M.A.C.T.,
Pandavapura.

MVC.No.1189/2023

PETITIONER : S.S.Somegowda,
S/o Subbegowda,
Aged about 49 years,
R/o: Shindabhoganahalli,
Chinakurali Hobli,
Pandavapura Taluk,
Mandya District.

(By Sri.D.S.Sathish, Advocate)

V/s

RESPONDENTS : 1. Prasanna S/o Swamygowda,
Aged about 30 years,
R/o: Shindabhoganahalli,
Chinakurali Hobli,
Pandavapura Taluk,
Mandya District.

(Owner of Mahendra and
Mahendra Tractor Reg.No.KA-11-
C-4031)

2. The Branch Manager,
Cholamandalam M.S. General
Insurance Company Ltd.,
No.230, 5th cross, 12th main,
Saraswatipuram, Mysuru.

(Engine No. ZNC2JAF0935
Insurer of Mahendra and
Mahendra Tractor
Reg.No.KA-11-C-4031)

Policy No.3380/02176194/00/00
Period from 12/07/2022 to 11/07/2023

(R1 Rep.by Sri.B.S.G.K., Adv.,)
(R.2 Rep. by Sri.D.G.N.,Adv.,)

J U D G M E N T

The claim petition is filed under section 166 of Motor Vehicles Act, 1988 for compensation of Rs.18,00,000/- together with interest at the rate of 24% per annum for the injuries sustained in a RTA.

2. BRIEF FACTS OF THE CLAIMANT'S CASE ARE AS FOLLOWS:-

That, on 18.05.2023 at about 01.45 P.M., while the petitioner and one Shekar S.G S/o Girigowda were connecting rotor with iron blade and nuts to the hind side of the tractor in order to plough the land as per the direction of owner of Mahindra & Mahendra Tractor bearing Reg.No.KA-11-C-4031 with Engine No.ZNC2JFO935 and Chasis No.MANTFAJBENZC00936 the driver of the said tractor started it suddenly due to which the tractor moved backwards resulting in the accident in which both the legs of the petitioner were fractured and sustained bleeding injuries and that, the legs of Shekar

S.G were also fractured and that, Madhu, Thimmegowda and Garigowda who were present at the spot attended the injured and shifted them to Prajwal Health Care, Mysuru in a car and got them admitted and that, X-ray of the petitioner was performed and found that, his legs bones were fractured and hence surgery was done and that, the petitioner took treatment in the hospital as inpatient for five days and spent approximately Rs.2,00,000/- and that, he was informed that, a sum of Rs.3,00,000/- more may be required for future treatment and that, petitioner was hale and health prior to the accident and he was doing agriculture and earning Rs.30,000/- per month after deducting all expenses and that, he is the only earning member of the family and that, he is suffering from leg pain after the accident and that, he is unable to do work as earlier and that, the petitioner's family is dependent on his income and that, they do not have any other source of income and that, the doctor has informed the petitioner that, there are chances of he suffering permanent disability and loosing earning capacity and that, the petitioner has taken treatment by raising loan and that, the accident has taken place due to rash and negligent driving of the driver of Mahindra tractor bearing Mahendra Tractor bearing Reg.No.KA-11-C-4031 Engine No.ZNC2JFO935 and Chasis No.MANTFAJBENZC00936 and a criminal case is also registered against him in Pandavapura Police station and that, the respondent No.1 is the owner of the said tractor and respondent No.2 is its insurer and hence both of them are jointly and severally liable to pay compensation to the petitioner.

3. The respondent No.1 has filed objections denying the claim petition averments and contended that, the petitioner has concocted medical documents by colluding with the doctors and that, the

petitioner has made a false statement before the police by colluding with them and that, the accident has taken place at 1.45 p.m. on 18.05.2023 and that, the petitioner is addicted to bad vices and in order to gain money through illegal means he has filed a false case and hence the claim petition is liable to be dismissed.

4. The Respondent No.2 has filed the statement of objections denying claim petition averments and contending that, the petitioner has sustained injuries due to some other reason and he was not at all injured as alleged in the petition and that, the petitioner and respondent No.1 have colluded with police officials and implanted the the tractor bearing Reg.No.KA-11-C-4031 by fabricating documents and concocted a false story to grab compensation and that, the driver of the tractor bearing Reg.No.KA-11-C-4031 was not holding valid and effective driving licence to drive the said vehicle at the time of the accident and hence the claim petition is liable to be dismissed.

5. On the basis of the above pleadings, the tribunal has framed the following issues and addl.Issue as under:

1. Does petitioner proves that, he sustained injuries, as a result, on 18.05.2023 at about 1.45 p.m., while he was connecting blades to the roter of tractor, due to actionable negligence on the part of the driver of Tractor bearing Reg.No.KA-11-C-4031?
2. Does Petitioner is entitle for compensation? If so, from whom and what is the just and fair compensation?
3. What order or award?

Addl.Issues dated 03.07.2024

Does 2nd respondent proves that, the driver of tractor bearing Reg.No.KA-11-C-4031 was not holding valid and effective driving licence as on the date of the accident?

6. The petitioner has got himself examined as PW-1 and produced 47 documents as Ex.P-1 to 47 respectively. The petitioner has examined Dr.N.Karunakar as PW-2 and got marked 4 documents as Ex.P-48 to 51.

7. Having heard learned counsel for the petitioner and considered both the oral and documentary evidence on record, my findings on the above issues are as follows:-

Issue No.1:- In the Affirmative

Addl. issue No.1:- In the Negative

Issue No.2:- **Yes, Rs.2,55,785.00 together
with interest @ 6% p.a. from
the date of the petition.**

Issue No.3:- As per final order for the following;

R E A S O N S

8. **ISSUE No.1**:- In order to substantiate his case, the petitioner has got himself examined before the Tribunal as PW-1 by filing his examination in chief affidavit reiterating the claim petition averments. As I have already narrated in brief the claim petition averments it may not be necessary to repeat the same once again here. In support of his oral evidence, the PW-1/petitioner has produced 28 medical bills, discharge summary, wound certificate,

medical prescription, X-ray, copies of Aadhaar card, PAN Card, certified copies of FIR, Complaint, Mahazer, seizure mahazar, Charge-sheet, IMV Report, Wound certificate and statements of witnesses as Ex.P. 1 to 47. The petitioner has further examined Dr.N.Karunakar, Nagarajegowda Memorial Hospital, Mysuru as PW-2 and got marked through him Medical record, X-ray, O.P case sheet and MLC extracts as Ex.P-48 to 51.

9. On the other hand the respondent No.2 has got examined the officer of the RTO Office, Mandya as RW-1 and Assistant Manager of the respondent No.2 as RW-2 and got marked summons, authorization letter and B register extract through RW-1 as Ex.R1 to 3 and authorization letter and certified copy of insurance policy through RW-2 as Ex.R4 and 5 respectively.

10. A perusal of the documentary evidence produced and relied upon by the petitioner would go to show that, one Chaitra S.S. filed a complaint before Sub Inspector of police, Pandavapura Police station on 08.06.2023 as per Ex.P-37 alleging that, on 18.05.2023 at about 01.45 P.M., while her husband S.G.Shekar and one Somegowda S/o Late Subbegowda were connecting rotor with iron blade and nuts to the hindside of the tractor in order to plough the land as per the direction of owner of Mahindra & Mahindra Tractor bearing Reg.No.KA-11-C-4031 with Engine No.ZNC2JFO935 and Chassis No.MANTFAJBENZC00936 the driver of the said tractor started it suddenly due to which the tractor moved backwards resulting in the accident in which both the legs of the petitioner were fractured and sustained bleeding injuries and that, the legs of Somegowda were also fractured and that, Madhu, Thimmegowda and Garigowda who were present at the spot

attended the injured and shifted them to Prajwal Health Care, Mysuru. Based on the said complaint FIR was registered as per Ex.P-36. The investigation officer took up investigation and conducted spot mahazer as per Ex.P-38, seizure Mahazer as per Ex.P-39 and collected IMV report as per Ex.P-41 and wound certificate as per Ex.P-42 and filed charge sheet as per Ex.P-40 against the respondent No.1 Prasanna herein for the offences punishable under Sec.279, 337 and 338 of IPC.

11. Even though the respondent No.1 has filed objections to the claim petition he has not entered into witness box to state his case on oath. Therefore it has to be said that, the contentions raised by the respondent No.1 are incorrect.

12. The respondent No.2 has specifically contended that, the petitioner has sustained injuries due to some other reason and implanted the tractor in the case by colluding with the police officials to get compensation illegally. In order to establish the same the respondent No.2 has got examined its Assistant Manager as RW-2. In his examination in chief affidavit itself RW-2 has stated that, the respondent No.1 was plying the vehicle in public place. RW-2 has categorically admitted the same during the course of his cross examination as follows: “ಅಪಘಾತವು ಸಾರ್ವಜನಿಕ ರಸ್ತೆಯಲ್ಲಿ ಸಂಭವಿಸಿದೆ ಎಂದು ನನ್ನ ಮುಖ್ಯ ವಿಚಾರಣಾ ಪ್ರಮಾಣಪತ್ರದಲ್ಲಿ ಹೇಳಿದ್ದೇನೆ ಎಂದರೆ ಸರಿ.” Further RW-2 has stated that, the respondent No.2 has not questioned the charge sheet filed against the respondent No.1. Relevant portion of cross examination of RW-2 is as follows: “ಈ ಪ್ರಕರಣಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಅಂತಿಮ ದೋಷಾರೋಪಣಾ ವರದಿಯನ್ನು ನಾನು ನೋಡಿದ್ದೇನೆ. ಅಂತಿಮ ದೋಷಾರೋಪಣಾ ವರದಿಯನ್ನು ನಾವು ಎಲ್ಲಾ ಸಹ ಪ್ರಶ್ನೆ ಮಾಡಿಲ್ಲ, ಏಕೆಂದರೆ ನಾವು ಅಂತಿಮ ದೋಷಾರೋಪಣಾ ವರದಿಗೆ ನಾವು ಪಕ್ಷಗಾರರಲ್ಲ.”

13. Learned counsel for the respondent No.2 has cross examined PW-1 with regard to the accident. During the course of his cross examination PW-1 has stated that, he had informed the hospital staff about the manner of accident. PW-1 has denied the suggestion that, he has suffered injuries due to some other reason and not due to the tractor. The Hon'ble Supreme Court of India has held in the case of Bimala Devi and others Vs. Himachal Road Transport Corporation reported in AIR 2009 SC 2819 that, in a road accident claim the principle of strict proof as in the case of criminal case is not required. It was further held that, petitioner is required only to establish his case on the touch stone of preponderance of probabilities and standard of proof beyond reasonable doubt cannot be applied in a road accident claim case. In the wound certificate at Ex.P-42 the history of injury is mentioned as RTA. In the discharge summary also the history is mentioned as RTA. The investigation officer has filed charge sheet against the respondent No.1 for the offences punishable under Sec.279, 337 and 338 of IPC. The oral evidence of PW-1 coupled with the police records clearly indicate that, the petitioner has suffered injuries due to actionable negligence on the part of driver of tractor bearing registration no. KA-11-C-4031. Therefore it has to be said that, the petitioner has sustained injuries due to rash and negligent driving of driver of tractor bearing registration no. KA-11-C-4031. Hence **I answer Issue No.1 in the Affirmative.**

14. Additional Issue No.1:- Even though the respondent No.2 has contended that, the driver of the tractor bearing Reg.No.KA-11-C-4031 did not possess valid and effective driving license at the time of the accident, the respondent No.2 has not

entered into witness box to prove its case. Therefore, it has to be said that, there is no substance in the contention raised by the respondent No.2 that the driver of the Tractor did not possess valid and effective driving licence at the time of the accident. On the other hand, the charge sheet filed by the investigating officer shows that, the accused by name Prasanna who is the driver of the Tractor bearing Reg. No. KA 11 C 4031 has not committed any offense punishable under Sec.181 IMV Act. The investigating officer has not alleged that, the driver did not possess valid driving license at the time of the accident. The petitioner has produced copies of RC insurance policy and driving license along with the claim petition. A perusal of the copy of driving license annexed to claim petition shows that Prasanna who is the respondent No.1 herein has driving licence No.KA 11 – 20190006349 valid from 03.06.2019 to 02.06.2039. The respondent No.2 has not made any efforts to cross verify the said documents. Therefore in view of the charge sheet filed by the investigating officer in the crime it has to be said that, the respondent No.2 has failed to prove the issue. Hence, I answer **Addl. issue No.1 in the Negative.**

15. ISSUE NO.2:- The evidence on record has established that, the petitioner has sustained injuries in the accident caused by the driver of tractor bearing registration no. KA-11-C-4031. Therefore, the Tribunal proceeds to determine the just and fair compensation payable to the claimant under different heads as below:-

(A) **PAIN AND SUFFERING:-**

The wound certificate at Ex.P-42 shows that, the petitioner has suffered pain and swelling over the right foot in the medial aspect tenderness and the ortho has opined fracture of medial malleolus right foot. The petitioner has taken at Nagarajegowda Hospital from 18.05.2023 to 22.05.2023. The petitioner was treated conservatively. Considering the nature of injuries suffered and the period of treatment taken by the petitioner, the Tribunal is inclined to award a sum of **Rs.25,000-00** under this head.

(B) **MEDICAL EXPENSES:-**

The petitioner has claimed a sum of Rs.1,50,000/- towards medical expenses. The petitioner has produced medical bills as per Ex.P-8 to 24 to a tune of **Rs.42,191-00**. It is proper to reimburse actual medical expenses incurred by the petitioner. Therefore, the Tribunal is inclined to award a sum of **Rs.42,191.00** towards actual Medical Expenses incurred by the petitioner.

(C) **FUTURE MEDICAL EXPENSES:-**

The petitioner has claimed a sum of Rs.2,00,000-00 under this head. But the petitioner has not produced any evidence to show that, he requires money for his future treatment on account of the injury sustained in the accident. Hence, the Tribunal is not inclined to award compensation under the head Future medical expenses.

(D) **MEDICAL ATTENDANT AND CONVEYANCE CHARGES:-**

The petitioner who is the resident of Shindabhoganahalli has taken treatment at Nagarajegowda Memorial Hospital, Mysuru from 18.05.2023 to 22.05.2023. Therefore, considering the nature of injuries suffered and the period of treatment taken by the petitioner, the Tribunal is inclined to award a sum of **Rs.10,000-00** under this head.

E) **DIET, FOOD AND NOURISHMENT:-**

The nature of injuries sustained by her and the duration of treatment undergone clearly indicate that, the petitioner must have spent considerable amount towards diet, food and nourishment. Therefore, the Tribunal is inclined to award a sum of **Rs.10,000-00** towards diet, food and nourishment.

(F) **LOSS OF INCOME:-**

It is stated by the petitioner that, he was doing agriculture and earning Rs.30,000/- per month. Even though he has stated so, he has not produced any proof of evidence to establish the same. In the absence of proof of income of the petitioner it is proper to take the income prescribed under Minimum Wages Act. Our Hon'ble High Court has held in M.F.A No:7404/2014 as follows:-

“33. Coming to the question whether the guidelines issued by the Legal Services Authority can be considered or not, it is pertinent to note that the guidelines, a copy of which is made available to this court, by and large are on the same lines as fixed under

the Minimum Wages Act, for settlement of the cases before the Lok Adalath, which is on the basis of the mutual agreement between the parties, shuts down all the approaches for a re-assessment of the compensation by the appellate Courts. Considering this aspect, a slightly higher wages have been set down as guidelines and we do not see any reason to have any qualms with the same. However, such guidelines can not take the place of a statutory guideline and therefore, we hold that it would be proper to rely on the wages fixed under the Minimum Wages Act and the Tribunal has to consider the minimum wages prescribed under the Minimum Wages Act, as a guideline and assess whether the deceased was a skilled or unskilled labourer. The range of a highly skilled labourer and unskilled labourer could be considered by the Tribunals, if there is no other proof of income. We hasten to add that the notional income cannot be adopted, with precision, as prescribed under the Minimum Wages Act also, but it acts as beacon only.”

As per Notification No. KAE 228 LWA 2018 dated 11/12/2019 the minimum wages payable to those who were engaged in agricultural and related activities during the period from 01/04/2023 to 31/03/2024 was Rs.12,586-76. In the instant case, the accident has taken place on 18/05/2023. Hence, the above notification is applicable to the case on hand. In the light of the aforesaid notification and avocation of the petitioner his income is determined as Rs.12,586-76. per month. Considering the duration of treatment undergone by the petitioner it appears that, the petitioner was out of job for nearly 3 months. Therefore, the petitioner must have lost income to a tune of Rs.37,760-28 (Rs.12,586-76 x 3). Accordingly, the Tribunal is inclined to award a sum of **Rs. 37,760-28** under this head.

(G) LOSS OF FUTURE INCOME:-

The petitioner has stated that he is unable to do work as he used to do earlier and hence he has lost the source of income. The petitioner has examined Doctor Karunakar, Nagarajegowda Memorial Hospital, Mysuru as PW 2. The doctor has stated that, the petitioner is suffering from permanent physical disability to an extent of 15% to the left lower limb. Learned counsel for the respondent cross examined the doctor/PW-2 in detail with regard to assessment of petitioner's disability. However, the doctor has stated that, he has assessed the disability as per the guidelines. The Doctor/PW 2 has stated during the course of his cross examination that, the petitioner was treated conservatively and that the petitioner had not suffered injury which warranted surgery. Relevant portion of cross examination PW 2 is as follows:- "ಗಾಯಾಳುವಿಗೆ ನಮ್ಮ ಆಸ್ಪತ್ರೆಯಲ್ಲಿ ಕೇವಲ ಕನ್ಸರ್ವೇಟಿವ್ ಟ್ರೀಟ್ ಮೆಂಟ್ ನೀಡಿದ್ದೇವೆ ಎಂದರೆ ಸರಿ. ಶಸ್ತ್ರ ಚಿಕಿತ್ಸೆ ನಡೆಸುವಂತಹ ಗಾಯಗಳು ಅವರಿಗೆ ಆಗಿರಲಿಲ್ಲ ಎಂದರೆ ಸರಿ". The petitioner is said to be an agriculturist. Taking into consideration the nature of injuries sustained by the petitioner it appears that, he is suffering from permanent functional disability to an extent of 5% which is equivalent to 1/3rd of the disability assessed by the doctor. Therefore, his income is reduced by 5%. In view of the same, the loss of future income of the petitioner is $\text{Rs.}12,586.76 \times 5/100 = 629.3380 \text{ p.m.}$ The age of the petitioner as mentioned in the medical records was 40 years as on the date of the accident. The applicable multiplier is 16. Therefore, the loss

of future income of the petitioner would be Rs. 629.3380 x 16 x 12 = Rs.**1,20,832.896**. Accordingly, the Tribunal is inclined to award a sum of **Rs.1,20,832.90** under this head.

(H) **LOSS OF AMENITIES:-**

Considering the age and nature of the injuries suffered by the petitioner the Tribunal is inclined to award a sum of **Rs.10,000-00** towards loss of amenities.

Thus the claimant is entitled to compensation under different heads as detailed below:-

<u>Compensation heads</u>	<u>Amount</u>
Towards Pain and Suffering	Rs. 25,000-00
Towards Medical Expenses	Rs. 42,191-00
Towards Future Medical Expenses	Nil
Towards Medical Attendant & Conveyance charges	Rs. 10,000-00
Towards Diet, Food & Nourishment	Rs. 10,000-00
Towards Loss of Income	Rs. 37,760-28
Towards Loss Future income	Rs. 1,20,832.90
Towards Loss of Amenities	Rs. 10,000-00
Total	Rs.2,55,784.18

16. The petitioner has claimed interest at the rate of 18% p.a. from the date of petition till payment of compensation amount. The rate of interest claimed by the claimant appears to be exorbitant. The

Interest at the rate of 7.5% p.a. as awarded by Hon'ble Supreme Court of India in the case of R.Halle vs Reliance General Insurance Company Ltd., (DD18.03.2026) from the date of petition till payment of compensation amount shall be awarded to compensate the claimant. Hence the claimant is entitled for a total compensation of **Rs.2,55,784.18** which is rounded off to **Rs.2,55,785.00** along with interest at the rate of 7.5% p.a.

LIABILITY:-

17. Learned counsel for the respondent No.2 vehemently argued that the tractor was not at all registered as on the date of the accident and that, it did not have permit and hence the respondent No.2 is not liable to pay compensation to the petitioner. Learned counsel has relied upon a decision of our Hon'ble High Court in the case of Raje Sab and other Vs. Rajakumar and others (MFA No. 100628 of 2020 DD 23.01.2026 at Dharwad). In the said appeal the judgment and award passed by the trial court fastening liability on the owner due to policy violations was called in question. By referring to the decision of Hon'ble Supreme Court of India in the case of Amrit Paul Singh Vs. Tata AIG General Insurance company Limited reported in AIR 2018 SC 2662 our Hon'ble High Court held that the finding of the tribunal in respect of fastening liability on the owner does not call for interference as the insured has not proved that he had a permit of the vehicle.

18. Learned counsel for the petitioner vehemently argued that the tractor bearing Reg. No.KA-11-C-4031 was duly insured and hence the respondent No.2 is liable to pay compensation to the petitioner.

19. In the present case the evidence on record clearly shows that the tractor bearing Reg. No.KA-11-C-4031 was insured with the respondent No.2. The said insurance policy was in force for the period from 12.07.2022 to 11.07.2023. The accident has taken place on 18.05.2023 during the period in which the insurance policy was in force. One of the terms of the insurance policy as mentioned in the policy at Ex.R5 is that, the policy covers only under a permit within the meaning of the motor cycle Act. The evidence on record shows that, even though the tractor was insured with effect from 12.07.2022 it was registered on 29.05.2023 as per Ex.R.3 which is a certified copy of B register extract. The B register extract goes to show that the respondent No.1 has used the vehicle till 29.05.2023 without registration. The respondent No.1 was not supposed to do so. The petitioner has not produced any evidence to show that the owner of the tractor had obtained permit from the competent authority as required under the Indian Motor Vehicles Act. Thus the evidence on record clearly shows that the tractor bearing Reg. No. KA 11 C 4031 had neither been registered nor possessed permit as on the date of the accident. Therefore the insured has violated the terms of the policy. As the insured has violated the terms of insurance policy the insurer is not liable to indemnify. The owner of the tractor alone is liable to indemnify the injured. Therefore the liability to pay compensation to the petitioner is fastened on the owner of the tractor i.e., respondent No.1. Under these circumstances, the **Issue No.2 is answered Partly in the Affirmative.**

20. ISSUE No.3:- Having answered Issue No.1 in the affirmative, and Addl. Issue No.1 in the Negative and issue No.2 partly in the affirmative, I proceed to pass the following;

ORDERS

The Petition filed by the petitioners under section 166 of Motor Vehicles Act is hereby allowed in part with costs.

The respondent No.1 is liable to pay compensation of **Rs.2,55,785.00 (Rupees Two Lakhs Fifty Five Thousand Seven Hundred and Eighty Five only)** to the petitioner.

Respondent No.1 shall pay compensation amount within 30 days from the date of this award along with interest at the rate of 7.5% per annum from the date of filing of the petition till the date of payment. In the event of failure to pay the said amount within the stipulated period, the entire compensation amount shall carry enhanced interest at the rate of 9% per annum from the date of default till its actual realization.

In view of the quantum of compensation awarded, the Respondent No.1 shall transfer compensation amount to the bank account of the petitioner together with interest.

Advocate's fee is fixed at Rs.1,000-00.

Petitioner shall submit affidavit furnishing his nationalized bank account details with IFSC along with canceled cheque having petitioner's name within 7 days from today. Petitioner shall also submit copy of bank account passbook, Aadhaar card and

PAN card. The counsel for petitioner shall verify the authenticity of the details and submit the same to the office along with memo.

Pending Clerk and CMO shall verify and endorse the correctness of the bank details in the order sheet to enable drawing of the award.

Office to include all the above details of the petitioner and draw award after receipt of memo from the counsel for petitioner.

The respondent No.1 shall transfer the award amount to the petitioner's bank account specified in the award under intimation to this tribunal.

Failure to furnish the aforesaid details within thirty days shall disentitle the petitioner to interest until such compliance.

(Dictated to the Stenographer directly on computer and printout taken by her, then corrected and pronounced by me in the open court on this the 29th day of June -2026)

(BABU.N.)
I Addl. Senior Civil Judge and M.A.C.T.,
Pandavapura.

ANNEXURES

List of witnesses examined for the petitioners:

P.W.1 : S.S.Somegowda
P.W.2 : Dr.N.Karunakar

List of documents got marked for the petitioners:

Ex.P-1 to 28: 28 Medical bills
Ex.P-29 : Discharge summary
Ex.P-30 : Wound certificate
Ex.P-31 : Medical prescriptions
Ex.P-32 &33: X-ray
Ex.P-34 : Aadhaar card
Ex.P-35 : Pan card
Ex.P-36 : C/c of F.I.R in Cr.No.146/2023
Ex.P-37 : C/c of Complaint
Ex.P-38 : C/c of Mahazer
Ex.P-39 : C/c of Spot Mahazer
Ex.P-40 : C/c of Charge-sheet
Ex.P-41 : C/c of IMV Report
Ex.P-42 : C/c of Wound certificate
Ex.P-43 to 47 : Statement of witnesses
Ex.P-48 : Medical reports
Ex.P-49 : X-ray
Ex.P-50 : OP Case sheet
Ex.P-51 : MLC Extract

List of witnesses examined for the respondents:

R.W.1 : H.C.Channakeshava
R.W.2 : Manoj C.M.

List of documents marked for the respondents:

Ex.R-1 : Summons copy
Ex.R-2 : Authorization letter
Ex.R-3 : B register extract
Ex.R-4 : Authorization letter
Ex.R-5 : C/c of Insurance Policy

(BABU.N.)
I Addl. Senior Civil Judge and M.A.C.T.,
Pandavapura.

