

**IN THE COURT OF PRL. JUDGE, COURT OF SMALL CAUSES AND**  
**MACT., MYSURU.**  
**MVC.NO. 170/2024**

|                     |          |                                                                |             |
|---------------------|----------|----------------------------------------------------------------|-------------|
| <b>Witness Name</b> | <b>:</b> | Dr. Anand S.R.                                                 | <b>PW.2</b> |
| <b>Father Name</b>  | <b>:</b> | Ramegowda                                                      |             |
| <b>Age</b>          | <b>:</b> | 41 years                                                       |             |
| <b>Occupation</b>   | <b>:</b> | Consultant Orthopedic Surgeon,<br>Vidyaranya Hospital, Mysuru. |             |
| <b>Residence</b>    | <b>:</b> | Mysuru                                                         |             |

*Witness called and duly sworn on: 28.11.2025*

**EXAMINATION IN CHIEF BY: SRI. NBR LEARNED COUNSEL FOR PETITIONER:**

Now I see the affidavit filed in lieu of my examination in chief, the same bears my signatures. The same is prepared as per my instructions and I am aware of the contents of the same. The contents of the affidavit is true to the best of my knowledge, information and belief.

|        |                                                 |
|--------|-------------------------------------------------|
| Ex.P13 | Follow up record pertaining to the petitioner   |
| Ex.P14 | Five X-ray films ( <i>Collectively marked</i> ) |

**CROSS EXAMINATION BY: SRI. JSK LEARNED COUNSEL FOR RESPONDENT NO.2:**

1. The difficulties and issues observed by me in the petitioner at the time of clinical examination is mentioned in the disability assessment sheet annexed to my affidavit. I have not specified the height to which the petitioner can lift his hand and the weight which he can lift without any difficulty while specifying that the petitioner has moderate impairment with respect to lifting over head object.

2. Except for the coordinated activity mentioned by me the petitioner does not have difficulty in doing any other coordinated activity. I have procured the X-ray of the petitioner when he came to me for follow up treatment.

The report of the radiologist is mentioned on the cover containing the X-ray film. It is true to suggest that in the said report it is mentioned that the fractures have united. Witness states that the fractures have united but there is malunion. It is true to suggest that no where in my affidavit I have mentioned regarding malunion.

3. It takes about 2 months for volar barton fracture to heal. It takes about 6 months for the patient with such injury to regain normalcy. I have not mentioned anything regarding the avocation of the petitioner in my affidavit. I have only assessed physical impairment and not functional disability.

4. It is false to suggest that the petitioner does not have any disability with respect to RMO of wrist and forearm and yet I have falsely assessed 2.7 % and 6.6% disability for the same respectively. It is false to suggest that I have wrongly assessed 6% disability for loss of muscle power despite the fact that the petitioner does not have any difficulty with respect to the same.

5. I have advised physiotherapy to the petitioner by considering the nature of injuries and difficulties observed by me. I have not issued disability certificate instead I have only submitted the assessment report. I am not a member of the District Medical Board nor have I been authorized by the District Medical Board to assess disability. Witness states that I have only submitted the report of my assessment.

6. It is false to suggest that I have wrongly assessed the disability at 22% to suit the convenience of the petitioner and have mentioned exaggerated percentage of disability though the petitioner does not have disability to the said extent. It is false to suggest that I have assessed and fixed higher disability in gross violation of guidelines in order to support the claims of the petitioner for higher compensation. It is false to suggest that despite the

injuries, the petitioner could not encounter any problem to do all his work which he was doing prior to the accident.

**RE-EXAMINATION – NIL**

**(Typed to my dictation in the open court)**

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

Sd/-

Prl. Judge.

Court of SC., & MACT., Mysuru