

*Witness called and duly sworn on: 14.01.2026*

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

1. The petitioner had obtained first aid at Kamakshi Hospital and thereafter he was brought to my Hospital on the same day i.e., 03.04.2023. The petitioner had orally informed me at the time of her admission that she had obtained first aid at Kamakshi Hospital however no documents were produced before me in that regard. The details in the MLC register were entered as per the information given by the petitioner.

2. The petitioner was aged around 15 years at the time of her admission and I was informed that she was into agriculture and was also pursuing her studies. It is true to suggest that no where in the Hospital records it is mentioned that the petitioner was doing agricultural activities and was student prior to the accident. The petitioner might experience difficulties while pursuing her studies due to injuries sustained in the accident. The petitioner will not find it difficult to read and write.

3. Except for the difficulties noted by me the petitioner has no other issues. The fractures sustained by the petitioner have united however there is malunion. There is no specific reason for malunion as in some cases post surgery malunion do occur. The petitioner has not suffered any shortening of limb due to injuries sustained in the accident. The knee is consequentially affected though there is no direct injury to knee.

4. The petitioner has grade I loss of muscle strength on knee and hip. It is false to suggest that petitioner has not suffered any loss of muscle strength with respect to knee despite which I have asserted false facts just to claim higher compensation. It is false to suggest that the disability assessed by me at 20% with respect to knee joint is also exaggerated just to support the claim of the petitioner for higher compensation.

5. I was informed that the petitioner was unable to pursue her studies due to injuries sustained in the accident. It is true to suggest that nowhere in my affidavit I have specified regarding avocation of the petitioner at the time of her examination. The petitioner would be able to do her basic day to day activities subject to the issues noted by me. It is true to suggest that considering the age of the petitioner there might be reduction in extent of disability with passage of time. Witness states that the extent of disability might reduce slightly.

6. I have not produced the Form- B in support of the assessment made by me as required under the Govt. guidelines. It is false to suggest that since I have not assessed the disability as per the guidelines, I have not produced the Form-B as such the disability assessed by me cannot be accepted. It is false to suggest that with an intention to support the compensation claims of the petitioner and to corroborate the exaggerated percentage of disability assessed by me I have deposed false facts despite the fact that the petitioner has no such difficulty.

7. It is false to suggest that the disability of 35% to left lower limb assessed by me is exorbitant and the same is mentioned to suit the claim of the petitioner for higher compensation. It is false to suggest that since I have assessed the disability to suit the convenience of the petitioner and have mentioned exaggerated percentage of disability. 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 as per the guidelines I am not competent to assess the disability and depose regarding the same in this tribunal as such the disability assessed by me cannot be accepted.

**RE-EXAMINATION – NIL**

(Typed to my dictation in the open court)

R.O.I. & A.C.

Sd/-

Prl. Judge.

Court of SC., & MACT., Mysuru