

IN THE COURT OF PRL. JUDGE, COURT OF SMALL CAUSES AND
MACT., MYSURU.
MVC. NO. 750/2024

Witness Name	:	Dr. Madhuras Chowdry	PW.2
Father Name	:	Late Pemaramji	
Age	:	35 years	
Occupation	:	Consultant Orthopedic Surgeon, AR Hospital, Mysuru.	
Residence	:	Mysuru	

Witness called and duly sworn on: 14.07.2026

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.P11	The entire case sheet pertaining to the petitioner
Ex.P12	Disability assessment sheet dated 28.01.2026 pertaining to the petitioner
Ex.P13	Four X-ray films (<i>Collectively marked</i>)

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

1. The implants are insitu. Dr. Sri. Mohan Kumar C.N. is working for Suyog Hospital even now. I do not know about Dr. Sri. Vijay Kumar. My handwriting can be seen in the operation notes which is annexed to the case sheet as I was the doctor who performed surgery. It is false to suggest that the Dr. Sri. Mohan Kumar C.N. and Dr. Sri. Vijay Kumar being the

treating doctors they would be competent to depose regarding the disability and not me.

2. The contents of the Ex.P12 are my opinion in respect of the disability suffered by him. Upon being questioned whether there is any specific reason why I have mentioned the approximate cost which the petitioner might incur for removal of implants at AR Hospital, witness states that since the expenses at Suyog Hospital could be higher when compared to AR Hospital I have specified the same. I have not produced the document containing cost breakdown of the estimated costs. I have no impediment to issue the same.

3. The fracture sustained by the petitioner have united. When I last examined the petitioner on 28.01.2026 I observed that there was deformity, loss of sensation and early signs of arthritis. Since the petitioner had suffered fracture at the joint, the same generally leads to arthritis. I have not given any specific medication to cure arthritis as the same is not curable and only general medicines can be prescribed for the same. I have no personal knowledge about avocation of the petitioner.

4. I have not issued any disability certificate however I have issued disability assessment report. I have not specified the extent of loss of sensation in my affidavit. I have assessed 3% disability for deformity under the head of additional weightage. It is false to suggest that I have falsely mentioned that the petitioner had issues with muscle strength and mobility component despite the fact that the petitioner has no such issues. It is false to suggest that I have assessed the disability

falsely to suit the convenience of the petitioner. It is false to suggest that the petitioner has approached me to assess the disability as I would assess exaggerated disability to suit the convenience of the petitioner. It is false to suggest that since I have assessed the disability to suit the convenience of the petitioner.

5. It is false to suggest that the petitioner has not suffered any such permanent physical disability as assessed by me and yet I have deposed false facts in support of petitioner's claim. It is false to suggest that the petitioner does not have any such issues as noted by me and the same are noted for the sole purpose of supporting the claim of the petitioner. It is false to suggest that I have not assessed the disability as per the notification. It is false to suggest that the petitioner has not suffered disability to the extent of 27% as assessed by me in respect of the left upper limb and yet I have assessed exaggerated percentage of disability to suit the claim of the petitioner for higher compensation. It is false to suggest that despite the fact that I am not the treating doctor I have assessed exaggerated percentage of disability just to support the claim for higher compensation. It is false to suggest that I have assessed the disability in gross violation of medical guidelines and without following the procedure prescribe and without maintaining the requisite forms 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