

**IN THE COURT OF PRL. JUDGE, COURT OF SMALL CAUSES AND
MACT., MYSURU.
MVC.NO. 904 / 2023**

Witness Name : Dr. Aakash **PW.2**
Mother's Name : Dr. M.K Manjula
Age : 37 years
Occupation : Consultant Orthopedic Surgeon,
Bhanavi hospital, Kuvempunagar,
Mysuru
Residence : Mysuru

Witness called and duly sworn on: 20.03.2025

**EXAMINATION IN CHIEF BY: SRI. MDG 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.P21	The entire case sheet pertaining to the petitioner
Ex.P22	3 X-ray films are collectively marked

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

1. I have no personal knowledge about the avocation of the petitioner. The petitioner is aged around 70 years. Upon being questioned whether the petitioner has any difficulty to perform his day to day activities, witness states that the petitioner is experiencing minimal difficulties.

2. The disability assessed by me pertains to left upper limb only. It is true to suggest that scars will not come in the way of petitioner

performing his day to day activities. The implants are *insitu*. Upon being suggested that considering the age of the petitioner it is not advisable to remove the implants, witness states that the petitioner might require to undergo surgery for removal of implants.

3. The fractures are united. It is false to suggest that the higher percentage of disability is due to the implants and once the implants are removed, the extent of disability would reduce. Witness states that the possibilities are less.

4. I have only mentioned the approximate cost for removal of implants. I have not produced any cost break down of estimated costs. It is true to suggest that the cost for removal of implants varies from hospital to hospital.

5. 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.

RE-EXAMINATION – NIL

(Typed to my dictation in the open court)

R.O.I. & A.C.

Sd/-

Prl. Judge.

Court of SC., & MACT., Mysuru