

*Witness called and duly sworn on: 08.04.2025*

**CROSS EXAMINATION BY: SRI. SNK LEARNED COUNSEL FOR RESPONDENT NO.1:**

1. I am an illiterate. The deceased was aged around 50 years at the time of accident. My deceased husband was into flower vending business in the morning and thereafter he would indulge himself in agricultural activities.

2. I am not an eye witness to the accident. The accident occurred on 2<sup>nd</sup> of January though I do not recollect the year, but it would be three years since the occurrence of the accident in the month of January 2026. The accident occurred near Fire brigade office, Saraswathipuram, close to Kukkarahalli lake.

3. I do not know whether the deceased used to commute in the same route where the accident occurred, witness states that on the date of accident he was proceeding on the said road. I do not know if the said road runs from South to North. It is false to suggest that I have falsely asserted in my petition as well as affidavit that when my deceased husband was proceeding from JSS Women's college towards Kantharaja Urs road near the curve, the vehicle bearing No. KA-09-AA-2421 dashed against him and caused the accident.

4. I do not know if the TVS moped on which my deceased husband was proceeding as well as the vehicle belonging to respondent No.1 i.e, Auto bearing No.KA-09-AA-2421 were proceeding in the same direction at the time of accident. It is false to suggest that the accident occurred when the deceased brushed his moped against the back left wheel of the auto and lost balance and fell down. It is false to suggest

that there was no negligence on the part of driver of the auto and the same is clear from the fact that the accident spot is situated next to the divider and the auto was proceeding on the right side of the moped.

5. It is false to suggest that the accident occurred entirely due to negligence on the part of the deceased and there was no negligence on the part of driver of the auto and yet I have deposed false facts before this court.

6. It is false to suggest that in the said accident, the deceased had only sustained minor injuries and no grievous injuries which could have resulted in his death were sustained by him, witness states that the deceased had sustained injuries on the back of his head.

7. I do not know if the respondent No.1 out of humanitarian grounds took the deceased in front of the Sweet palace cafe, gave him water and only after ascertaining that the deceased was fine, the respondent No.1 proceeded ahead.

8. I am not aware if the spot is situated at a junction where three roads meet. It is false to suggest that since the spot is situated close to a junction where three roads meet, it is not possible to drive vehicles at a high speed as such my assertion that the offending auto went at a high speed and caused the accident is false.

9. The deceased was cultivating the land standing in the name of my father-in-law which is situated at Hebbasuru village, Chandakavadi Hobli, Chamarajanagara. I am not aware of the extent of land, but we were cultivating Ragi, Sugarcane and flower crops. I have not

produced any document to substantiate my contention that the deceased was earning Rs.8 to 10 lakhs from the agricultural source alone. It is false to suggest that my assertion regarding income from the agricultural source is false as from the said land it is not possible to earn income to the said extent.

10. I am residing at Mysuru from the past 22 to 22 years. It is false to suggest that I have falsely asserted that my husband was an agriculturist despite the fact that his only avocation was selling flowers.

11. I have not produced any document to substantiate my assertion that the petitioner No.2's husband is suffering from stroke and has no source of income of his own. It is false to suggest that inspite of the fact that the petitioner No.2's husband is hale and healthy and was not dependent on the deceased I have asserted false facts just to claim higher compensation. It is false to suggest that I have falsely asserted that even the minor son of the petitioner No.2 was dependent on the income of the deceased just to claim higher compensation.

12. I have not produced any survivors certificate issued by competent government authority to show that even the petitioner No.3, 4, petitioner No.2 and her husband and son were the dependents of the deceased.

13. The deceased used to earn Rs.1,000/- per day from his flower vending business. I have not produced any document to substantiate my claim that the petitioner No.3 is suffering from ill health and is

under treatment. It is false to suggest that inspite of the fact that the petitioner No.3 is hale and healthy and was not dependent on the deceased, I have asserted false facts just to claim higher compensation.

14. It is false to suggest that since the accident occurred due to negligence on the part of the deceased himself and since his death has no nexus to injuries sustained by him in the alleged accident myself and other petitioners are not entitled for any compensation. It is false to suggest that since my claim is not supported by any documents, the same is liable to be dismissed.

**CROSS EXAMINATION BY: SMT. KLS LEARNED COUNSEL FOR RESPONDENT NO.2:**

*Deferred for cross examination of PW.1 at the request of learned counsel for respondent No.2.*

(Typed to my dictation in the open court)

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

Sd/-  
Prl.Judge ,  
Court of SC., & MACT., Mysuru