

IN THE COURT OF PRL. JUDGE, COURT OF SMALL CAUSES AND
MACT., MYSURU.
MVC.NO.1142/2023

Witness Name	:	Dr. Harsha A.H.	PW.2
Father Name	:	Dr. A.H. Shivananda	
Age	:	41 years	
Occupation	:	Consultant Neurosurgeon	
Residence	:	Mysuru	

Witness called and duly sworn on: 09.01.2026

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.P12	The entire case sheet pertaining to Sri. Chethan A.S. along with X-ray film
Ex.P13	One OPD record
Ex.P14	Neuro behaviour and cognitive assessment report pertaining to the petitioner
Ex.P15	Four MRI films along with report (<i>Collectively marked</i>)

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

1. The petitioner was admitted to KVC Hospital, Mysuru on 04.03.2023. The petitioner was referred to our Hospital from K.R. Hospital. I am not aware if the doctors at KVC Hospital have

considered the MLC issued by K.R. Hospital or whether any fresh process was initiated. I am not aware if as per rules the MLC maintained by previous Hospital needs to be continue by the Hospital to which is subsequently admitted.

2. At the time of his admission to KVC Hospital the GCS score of the petitioner was 13/15 i.e., E3V4M6. The GCS score of the petitioner at the time of his discharge was 15/15 and even now his GCS score is 15/15. The vitals of the petitioner are normal. All the clots suffered by the petitioner has dissolved. Upon being suggested that the petitioner has no difficulty in performing his day to day activities, witness states that the petitioner being a student is unable to pursue his studies. As per my opinion the petitioner does not have any difficulty in performing other activities except for continuing his studies. I have no knowledge as to what the petitioner was studying at the time of accident.

3. I have not tried to ascertain whether the petitioner is studying if so in which class however I was informed that he had difficulty in pursuing his studies. It is false to suggest that with a sole intention of supporting the claim of the petitioner for higher compensation I have assessed exaggerated percentage of disability despite the fact that the petitioner has no such disability.

4. I have stated that the MRI of the brain showed that the petitioner had right frontal lobe gliotic areas on the basis of MRI report dated 02.07.2025. I last examined the petitioner on 15.07.2025. It is true to suggest that I am deposing before this tribunal on the basis of examination done by me 6 months back.

5. The Ex.P14 clinical psychological assessment report is not prepared by me. I have assessed the disability only on the basis of Ex.P14. It is false to suggest that since the Ex.P14 report is not prepared by me I am not competent to depose on the basis of said report. The petitioner does not have any disability in respect of self care and inter personal activities. It is true to suggest that even the Ex.P14 is prepared in the month of July 2025. I have not referred the petitioner to District Medical Board. I have not issued any disability certificate however I have stated the extent of disability in my affidavit.

6. It is false to suggest that I am not competent to assess and depose regarding disability in view of the guidelines issued by the central Govt. It is false to suggest that since I am deposing on the basis of records prepared 6 months back, the disability assessed by me cannot be accepted. Witness states that the petitioner had sustained injuries 2 years back and after 2 years there will not be much change in the extent of disability. It is false to suggest that since the disability is not assessed recently, the present condition of the petitioner is not considered by me as such the disability assessed by me cannot be accepted.

7. It is false to suggest that the petitioner has recovered fully and he was in a position to do all the activities which he was doing prior to the accident as such the assessment made by me is false.

It is false to suggest that I have falsely averred that the petitioner has Neuro Behavioural disability and cognitive disability of 41% as assessed by me.

RE-EXAMINATION – NIL

(Typed to my dictation in the open court)

R.O.I. & A.C.
Sd/-
Prl. Judge.
Court of SC., & MACT., Mysuru