

*Witness called and duly sworn on: 22.03.2025*

**FURTHER EXAMINATION IN CHIEF BY: SRI. KIB LEARNED COUNSEL FOR PETITIONER:**

Ex.P19	Notarized photocopy of the SSLC marks card of the deceased Kum. Pooja M. <i>(the notarized copy is marked after comparing the same with the original which is produced today and since the contents are found to be correct upon comparison)</i>
Ex.P20	Notarized photocopy of the B.E., degree certificate of the deceased Kum. Pooja M. <i>(the notarized copy is marked after comparing the same with the original which is produced today and since the contents are found to be correct upon comparison)</i>
Ex.P21	Notarized photocopy of the Post graduate diploma certificate of the deceased Kum. Pooja M. <i>(the notarized copy is marked after comparing the same with the original which is produced today and since the contents are found to be correct upon comparison)</i>
Ex.P22	The original Aadhaar card pertaining to deceased Kum. Pooja M. <i>(the notarized copy is marked after comparing the same with the original which is produced today and since the contents are found to be correct upon comparison)</i>

Wherefore I pray that this Hon'ble Court be pleased to award compensation as prayed for.

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

1. The Maruti celerio car bearing No.KA-09-MB-9690 is under my ownership. At the time of accident the said car was manned by one Sri. Vasudev. I had requested a travel agent to send a driver and he had send Sri. Vasudev. It is true to suggest that since the accident occurred at around 3.30 PM, the movement of vehicles on Bengaluru-Mysuru Express way would be comparatively less.

2. The said road is bifurcated by a median and both the roads are on the same level. I did not observed the offending car before it crossed the

median and hit the back side of our car. Only after the accident I realized that the car had come from the other side.

3. It is false to suggest that the accident occurred due to negligence on the part of driver of my car as he was driving the car at a high speed, witness states that our car was proceeding on the correct lane at a moderate speed. I was seated on the front seat next to the driver, whereas the PW2 and the deceased were sitting on the back side. In the accident my car turned turtle due to impact. I came to know that only the driver was traveling in the offending car at the time of accident.

4. Immediately after the accident I was admitted to Manipal hospital, Mysuru and I underwent treatment as an inpatient for four days. It is true to suggest that out of the total medical expenses of Rs.92,043/-, the Star Health Insurance which is a private insurer has paid Rs.74,947/- to the hospital. The health insurer did not bear the entire medical expenses instead it deducted the expenses towards few medicines as such I have incurred Rs.25,000/- in excess apart from the amount that needed to be paid to the hospital after deducting Rs.74,947/- from the sum of Rs.92,043/-. I have no document to show that I had incurred Rs.25,000/- apart from the final hospital bill.

5. I have recovered from the injuries sustained in the accident. I am retired Executive Engineer, at PWD. It is true to suggest that I am drawing monthly pension of Rs.75,000/-.

6. The deceased had sustained internal injuries. She succumbed to the injuries on the same day while undergoing treatment at the hospital. The deceased was Engineering Graduate in Information science and she had completed post graduate diploma course. The deceased Kum. Pooja was aged 38 years at the time of her death and she was unmarried.

7. The deceased was unemployed at the time of accident. I have produced document to show the last drawn salary of the deceased. I have not produced document regarding the date on which the deceased resigned from her job. The deceased was not working for about five years prior to the accident. The deceased had got an offer as per Ex.P8 but she had not taken the job until the accident.

8. The private health insurer refused my claim for reimbursement of medical expenses pertaining to my daughter on the ground that she had sustained the injuries which lead to her death in about two hours after she availed the health insurance. I have produced document to show that I have incurred the medical expenses of Rs.35,000/- towards medication of my daughter from my own pocket.

9. I am an income tax assessee. I was supervising the work of a contractor by name Sri. Sathishkumar after my retirement and was drawing a sum of Rs.25,000/- per month as remuneration for my work. Except for the Ex.P10 I have no other document to show that I was working for the said Sri. Sathishkumar and was getting remuneration of Rs. 25,000/- per month. It is false to suggest that the Ex.P10 is created for the purpose of this case so as to claim 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