

Witness called and duly sworn on: 05.05.2026

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

1. It is true to suggest that I am a permanent resident of Shantipura village of H.D.Kote taluk. It is true to suggest that even in the aadhar cards pertaining to myself and my wife H.D.Kote address is mentioned. I was never a resident of Mysuru city. It is false to suggest that solely for the purpose of maintaining this claim petition I have given a false address. I do not know any person by name Sri. Manjunath.

2. The petitioner No.2 to 5 are married and are residing at their respective matrimonial houses. The petitioner No.2 to 5 visit H.D.Kote occasionally. The petitioner No.2 to 5 are homemakers. The husbands of the petitioner No.2 to 5 are gainfully employed. The petitioner No.2 to 5 or their family are not fully dependent on us.

3. At the time of accident the deceased was proceeding towards Dairy to supply milk. Neither me nor my wife were members of the dairy at the time of accident however earlier we were members of the same. I do not have the document in that regard. It is true to suggest that in order to supply milk one should be a member of the Dairy and in case of a member card is issued. Witness states that we were members of the Dairy earlier. It is true to suggest that there is a register maintained in respect of payments made by the Dairy towards supply of milk. Witness states that but the same are misplaced. I do not have any document to show that our family was into animal husbandry and we were earning income from the same. It is false to suggest that inspite of the fact that my family including the deceased was not supplying any milk nor were we into animal husbandry, I have asserted false facts just to claim higher compensation.

4. The accident occurred right in front of the milk Dairy at Shantipura. At the time of accident several persons were present at the spot. The spot was well lit as there was street light. It is true to suggest that Ex.P5 makes it clear that on either side of the road there was 4 feet space available for pedestrians to walk. It is false to suggest that as per Ex.P5 the deceased was proceeding on the road instead of using the footpath at the time of accident. There are eye witnesses who have seen the deceased walking on the footpath. I was not present at the spot at the time of accident.

5. It is false to suggest that the accident occurred due to sole actionable negligence on the part of the deceased who tried to cross the road negligently and recklessly and while doing so came under the motorcycle.

6. Shantipura village is situated at a distance of about 1.5 KM from H.D. Kote. Since the deceased was taken to the Hospital, I could not lodge the FIS on the same day. It was around 7.45 to 8 PM when the deceased was admitted to H.D. Kote Govt. Hospital. The petitioner was brought to K.R. Hospital, Mysuru from H.D. Kote Govt. Hospital at around 8.45 PM, but the doctors referred the deceased to Victoria Hospital, Bengaluru. The deceased succumbed to the injuries at Victoria Hospital, Bengaluru on the very next day.

7. The FIS was lodged by my brother's son by name Sri. Sunilkumar. The rider of the offending motorcycle was not known to me or my family prior to the accident. It is false to suggest that the rider of the motorcycle was falsely implicated in collusion with the police officials just to maintain this claim petition. My family has procured BPL card. It is true to suggest that the deceased underwent treatment at Govt. Hospitals.

8. It is false to suggest that the deceased Smt. Shantamma had no source of income of her own as she was of advanced age and yet I have asserted falsely that the deceased had her own source of income just to claim higher compensation. I am into Coolie work. Even during the lifetime of the deceased I was doing the very same work. I was looking after and fulfilling the needs of the deceased during her lifetime.

9. It is false to suggest that inspite of being aware that the accident did not occurred due to any negligence on the part of rider of the motorcycle bearing No.KA-09-HY-5832 I have filed a false petition and have deposed false facts just to claim compensation and to make unlawful gain at the expense of Respondent No.2 company. It is false to suggest that since the present case is a created one the Respondent No.2 company is not liable to pay any compensation to me or other petitioners. It is false to suggest that the petitioners are not entitled for compensation as sought for 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