

IN THE COURT OF PRL. JUDGE, COURT OF SMALL CAUSES AND
MACT., MYSURU.
MVC.NO.2078/2023

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.P13	The entire case sheet pertaining to Smt. Shantamma along with X-ray film
Ex.P14	One OPD record
Ex.P15	Neuro behaviour and cognitive assessment report pertaining to the petitioner
Ex.P16	Five MRI films along with report (<i>Collectively marked</i>)

CROSS EXAMINATION BY: SRI. POA LEARNED COUNSEL FOR RESPONDENT :

1. It is true to suggest that the petitioner had obtained conservative treatment at Hunsur Govt. Hospital and K.R. Hospital, Mysuru, Brindavan Hospital, Mysuru before being admitted to Vidyaranya Hospital. I am not aware if the petitioner was conscious when she was admitted to Brindavan Hospital, Mysuru. I have not seen the

medical records pertaining to previous course of treatment obtained by the petitioner before being admitted to Vidyaranya Hospital. It is true to suggest that the history mentioned by me in my affidavit reveals that the petitioner had sustained injuries due to self fall. Witness states that the petitioner had sustained injuries due to self fall from bus.

2. It is false to suggest that the petitioner had not sustained any grievous injuries in the alleged incident. It is false to suggest that the petitioner had not suffered any facial bone and skull fracture as averred by in my affidavit. Upon being suggested that the petitioner had only suffered skin injuries on the face and except for the same the petitioner had not suffered any other injuries, witness states that the petitioner had skin injuries as well as fractures.

3. The petitioner has not undergone any surgery for the injuries sustained in the accident. The petitioner was treated conservatively for all the fracture sustained by me in the accident. I have treated the petitioner from 26.10.2023 onward. Witness states that however I am also one of the members of the team which is headed by Dr. Sri. Anil Sangli. Upon being suggested that at the time of discharge on 29.10.2023 the petitioner had recovered fully, witness states that at the time of discharge she had not recovered fully however she was fit to be discharged.

4. The petitioner had sustained injuries on her face and also brain. Except for the injuries on her face and head she had not sustained injuries on any other parts of her body. Upon being suggested that even with respect to brain the petitioner had not sustained any

injuries, witness states that she had bleeding i.e. hemorrhages in the brain. The petitioner has consulted me for follow up treatment even after being discharge from the Hospital. Upon being suggested that the petitioner has not consulted me ever since she was discharged on 29.10.2023, witness states that she has consulted me several times and I have produced OPD records in that regard. Witness states that the other documents pertaining to OPD visits are not available with me. Upon being suggested that because the petitioner had recovered fully there was no necessity for her to take follow up treatment and yet she has got created document pertaining to OPD visits just to claim higher compensation. Witness states that even to this day she is undergoing treatment as she has not recovered fully.

5. It is false to suggest that at Vidyaranya Hospital we maintain records pertaining to OPD visits of the patient. Witness states that except for the OPD record given to the patient we do not maintain any other record. It is true to suggest that the fact that patient has come to consult the doctor would be mentioned in the register and necessary fee would be collected in that regard, on the basis of which it can be ascertained whether particular patient had consulted the doctor on a particular day or not. It is false to suggest that since the petitioner did not consult me at any point in time, I have not produced the relevant registers maintained by the Hospital.

6. I was informed that prior to the accident the petitioner was working as a daily wages work. It is false to suggest that the petitioner has recovered fully and she is in a position to do all the work which she 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 39% as assessed by me. It is false to suggest that I have falsely averred that the petitioner has difficulty in performing all the previous activity which she was doing prior to the accident.

7. I have not referred the petitioner to District Medical Board for assessment of disability. It is false to suggest that though I am not a member of District Medical Board and I am not authorized to assess the disability I have falsely assessed the disability and have arrived at exaggerated percentage of disability to suit the claim of the petitioner. It is false to suggest that the petitioner does not have any issues now as such she does not need any further treatment. It is false to suggest that inspite of being aware of the true fact I have made false assertions to suit the claim 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