

IN THE COURT OF PRL. JUDGE, COURT OF SMALL CAUSES
AND MACT., MYSURU.
MVC.NO .2563/2024

Witness Name	: Manohar	RW.1
Father Name	: Javaregowda	
Age	: 53 years	
Occupation	: RTO, Superintendent, RTO Mysuru West	
Residence	: Mysuru	

Witness called and duly sworn on: 17.12.2025

**EXAMINATION IN CHIEF BY: SRI. HK LEARNED COUNSEL
FOR RESPONDENT NO.2:**

I have been working as Superintendent, RTO Mysuru west from the past one and half to two years.

2. I received the summons from this court directing me to appear before the court along with B - register extract pertaining to tipper lorry bearing No.KA-09-B-6490 which is a heavy Goods vehicle and the D.L. extract of one Sri. Manjegowda.

3. Upon verifying the records available with us, I am herewith producing the D.L. extract pertaining to Sri. Manjegowda as well as the B - Register extract pertaining to HGV bearing No. KA-09-B-6490. As per the records as on 13.09.2024 the said Sri. Manjegowda did not possess a D.L. which authorized him to drive the HGV. However he possessed D.L. which authorized him to drive LMV and MCWG (motorcycle with gear).

Ex.R1	Authorization letter
Ex.R2	B-Register extract pertaining to HGV bearing No. KA-09-B-6490
Ex.R3	D.L. extract pertaining to Sri. Manjegowda S/o Sannegowda

(At this juncture Learned counsel for respondent No.2 seeks the permission of this court to treat the witness as partly hostile and cross examine the witness. Permitted)

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

4. It is true to suggest that since the tipper lorry bearing No.KA-09-B-6490 is a tipper lorry, it falls within the category of HGV and irrespective of whether it had load in it or not it would still be considered an HGV.

CROSS EXAMINATION BY: SRI. RR LEARNED COUNSEL FOR PETITIONER:

5. I am not aware if the tipper lorry bearing No.KA-09-B-6490 had any load in it when it met with the accident. I am also not aware if at the time of inspection of the tipper lorry bearing No.KA-09-B-6490 did not have any load in it and the same is mentioned by the motor vehicle inspector. It is true to suggest that the unladen weight of the tipper lorry bearing No.KA-09-B-6490 as per Ex.R3 is 7140 KG's.

6. It is true to suggest that as per Ex.R4 as on 13.09.2024 the said Sri. Manjegowda possessed a valid and subsisting D.L. which authorized him to drive an LMV. The D.L. is issued as per the provisions of motor vehicle Act. It is true to suggest that as per the

provisions of motor vehicle act, any vehicle whose unladen weight is less than 7500 kilos would fall within the category of LMV. I cannot say if as the tipper lorry bearing No.KA-09-B-6490 did not have any load, it falls within the category of LMV as such the driver Sri. Manjegowda was authorized to drive the same at the time of accident. It is true to suggest that tipper lorry bearing No.KA-09-B-6490 falls within the category of transport vehicle.

RE-EXAMINATION – NIL

(Typed to my dictation in the open court)

R.O.I. & A.C.

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