

PW 1. - 16/6/2025

Pri. Senior Civil Judge & JMC

IN THE COURT OF THE PRL. SENIOR JUDGE AND MAC MADHUGIRI
AT MADHUGIRI

M.V.C. No: 431/2025.

PETITIONER:

V/S

RESPONDENTS:

Smt. Bhagyamma.

Lakshamma dead by L.Rs & Anr.

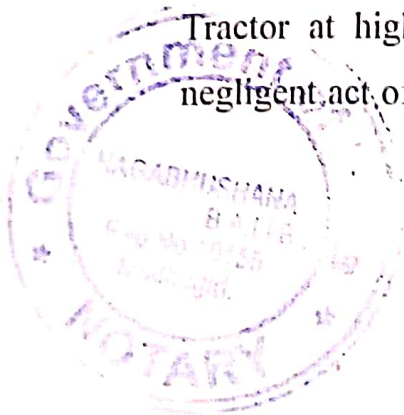
EXAMINATION – IN – CHIEF OF THE PETITIONER BY WAY OF
AFFIDAVIT.

Name : Bhagyamma.
Husband Name : Late Pakeer Naika
Age : 35 years,
Residence : Thippapura Thanda Village, I.D.Halli hobli,
Madhugiri Taluk.

I, Bhagyamma, the Petitioner in the above case, do hereby solemnly affirm and state on Oath as follows:-

That I have filed the present claim petition against the Respondents claiming compensation for the death of my husband by name Pakeer Naika in the Motor Vehicle Accident

1. I submits that on 07-02-2025 at about 10-30 A.M, my husband Pakeer Naika was cleaning our land bearing Sy.No.96 sitauted at Thippapura Village, I.D.Halli hobli, Madhugiri taluk by using the Tractor Engine and Rotavator bearing Reg.No.KA-64-T-3652 in order to raise Watermenon crops. At the time of cleaning our land, my husband Pakkeer Naika has piked and revmoved the waste gross and waste sticks which fix the Rotavator, at that time the driver of the said Tractor was driving the said Tractor at high speed and in a rash and negligent manner, due to the negligent act of the driver of the said Tractor Engine and Rotavator bearing



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2 *[Fingerprint]*
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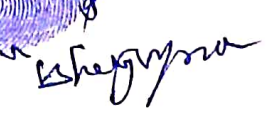
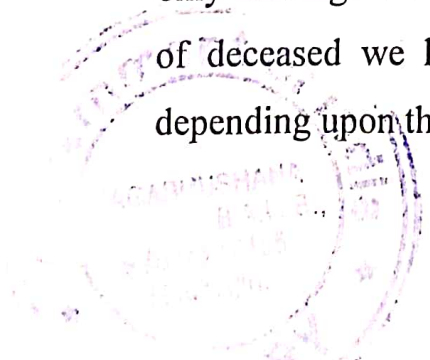
Reg.No.KA-64-T-3652, the right wheel of the said tractor touched my husband Pakeera Naika, at that relevant point of time, the Rotavator of the said Tractor ran way on the body of said Pakeera Naika, due to the negligent act of the driver of the said Tractor the accident took place. Due to the accident, my husband Pakeeranaika has sustained grievous injuries all over the body and died at the spot.

2. Thereafter myself and my relative by name Nagarajanaika have shifted the dead body of deceased Pakeera Naika to Government Hospital, Madhugiri. The doctors at Government Hospital, Madhugiri have conducted the postmortem of deceased my husband Pakeera Naika. After conducting post mortem, the dead body of the said deceased was shifted to our native place in a hired vehicle and performed the funeral obsequies and ceremony by incurring Rs.1,00,000/- and also paid Rs.25,000/- towards hire charges.

The said accident is due to the rash and negligent driving of the Tractor Engine and Rotavator bearing Reg.No.KA-64-T-3652 by its driver.

3. I submits that the deceased my husband Pakeera Naika was hale and healthy and was aged about 40 years at the time of his death. Due to sudden and untimely death of deceased, We have suffered mental shock, agony and also lost the main source of income.

4. I submits that the deceased my husband Pakeera Naika was doing agriculture and earning Rs.35,000/- per month. He was contributing the entire earnings for the maintenance of our family. The said deceased was the only earning member in our family. Due to the sudden and untimely death of deceased we have lost our main source of income. We are entirely depending upon the earnings of the deceased.

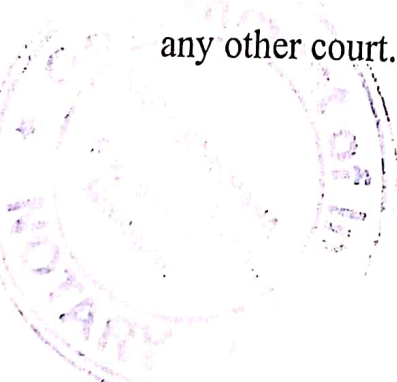


5. I submits that I am the wife of deceased, I lost my love and affectionate husband at my young age. I am depending the upon the income of the deceased. The deceased is only earning member in our family. Till today I am unable to overcome with shock and sorrowness of the death of Deceased, which has caused great hardship and humiliation to me. I lost back bone of the family which indirectly back dropped the financial status of my family. Further due to the demise of deceased there is loss of dependency, Loss of love and affection, loss of estate, Loss of consortium, Loss of expectancy and loss of income.

6. The Medigeshi police have ~~filed~~ registered the case against the driver of the Tractor Engine and Rotavator bearing Reg.No.KA-64-T-3652 in Cr.No.14/2025 under section 106(1) of BNS.

7. I submits that the 1st respondent is the R.C. owner of the Tractor Engine and Rotavator bearing Reg.No.KA-64-T-3652 and 2nd respondent is the Insurer of the said Tractor Engine and Rotavator bearing Reg.No.KA-64-T-3652 in the Accident. The Insurance Policy, R.C, F.C. and other documents of the said Tractor Engine and Rotavator bearing Reg.No.KA-64-T-3652 was in force as on the date of the Accident. Hence, all the respondents are liable to pay the compensation of Rs.50,00,000-00(Rupees Fifty Lakhs) claimed by me in the case jointly and severally.

Except this petition I have not filed any other claim petition in any other court.



Wherefore, I humbly pray the Hon'ble Tribunal be pleased to allow this petition and award a compensation of Rs. 50,00,000/- on all head and direct the respondents to pay the said compensation amount to us with interest thereon at 12 % P.A. on the compensation awarded from the date of petition, till the date of realization of the compensation amount, in the interest of justice.

I do swear in the name of God, that this my name, signature and contents of this my affidavit are all true and correct.

Identified by me;



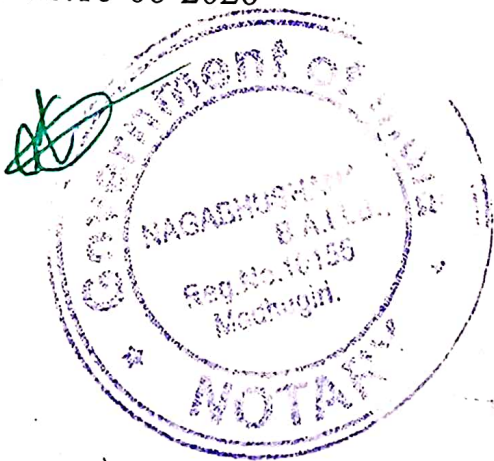
Advocate

Madhugiri

Date:16-06-2026



Deponent.



Sworn Before
NAGABHUSHAN B. A. L. L.
ADVOCATE & NOTARY
MADHUGIRI

16/6/2026

ದಿನಾಂಕ: 16-06-2026 ರಂದು ಸಾಕ್ಷಿಗೆ ಪ್ರಮಾಣ ವಚನ ಬೋಧಿಸಲಾಯಿತು.

ಮುಖ್ಯ ವಿಚಾರಣೆ:- ಅರ್ಜಿದಾರರ ಪರವಾಗಿ ಶ್ರೀ. ಎಲ್.ಬಿ.ಆರ್.
ವಕೀಲರಿಂದ:-

ನನ್ನ ಮುಖ್ಯ ವಿಚಾರಣೆಯ ಸಲುವಾಗಿ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ಸಲ್ಲಿಸಿದ್ದು, ಅದರಲ್ಲಿರುವ ಅಂಶಗಳೆಲ್ಲಾ ಸರಿಯಾಗಿವೆ ಮತ್ತು ಸತ್ಯವಾಗಿವೆ ಎಂದು ಪ್ರಮಾಣೀಕರಿಸಿ ನನ್ನ ಸಹಿ ಮಾಡಿರುತ್ತೇನೆ.

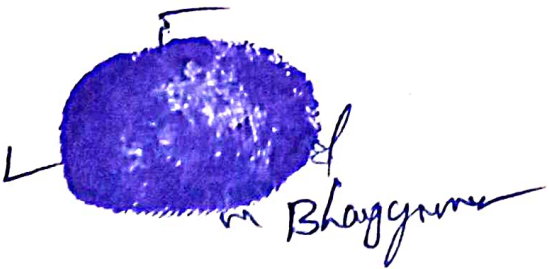
ಈ ಪ್ರಕರಣಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಈ ಕೆಳಕಂಡಂತೆ ದಾಖಲೆಗಳನ್ನು ಹಾಜರುಪಡಿಸಿದ್ದು, ಅವುಗಳನ್ನು ಈ ಕೆಳಕಂಡಂತೆ ಗುರುತಿಸಲಾಗಿದೆ:-

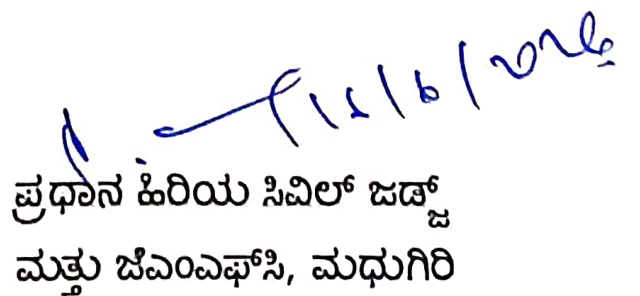
- ನಿ.ಪಿ.1 - ಪ್ರ.ವ.ವರದಿಯ ದೃಢೀಕೃತ ನಕಲು
- ನಿ.ಪಿ.2 - ದೂರಿನ ದೃಢೀಕೃತ ನಕಲು
- ನಿ.ಪಿ.3 - ಶವ ಪಂಚನಾಮೆಯ ದೃಢೀಕೃತ ನಕಲು

ಈ ಹಂತದಲ್ಲಿ ವಕೀಲರ ವಿನಂತಿ ಮೇರೆಗೆ ಮುಂದುವರಿದ ಮುಖ್ಯ ವಿಚಾರಣೆಯನ್ನು ಮುಂದೂಡಲಾಯಿತು.

(ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಸಾಕ್ಷಿ ನುಡಿದಂತೆ ಗಣಕೀಕೃತಗೊಳಿಸಲಾಯಿತು)

ಓ.ಹೇ.ಸಾ.ಸ.ಇ.ಬ.




ಪ್ರಧಾನ ಹಿರಿಯ ಸಿವಿಲ್ ಜಡ್ಜ್
ಮತ್ತು ಜೆಎಂಎಫ್‌ಸಿ, ಮಧುಗಿರಿ