

MACP No.09/2021

Ismail Vs. Suraj

Exh.No.18

Further Examination-in-chief of Claimant by Advocate Shri. S.K.Patel for claimant

1. I had filed my affidavit of examination-in-chief. The contents therein are true and correct. It bears my signature and thumb impression. Alongwith list Exh.4, I have filed photocopy of MLC issued by Sahyadri Hospital, Latur, it is at Exh.21, true copy of FIR is at Exh.22, true copy of spot panchanama is at Exh.23, true copy of inquest panchanama is at Exh.24, true copy of postmortem report is at Exh.25, Photocopy of R.T.O. Registration Certificate of offending vehicle is at Exh.26, true copy of charge-sheet is at Exh.27.

Cross-examination by advocate Shri.M.N.Sayyed for respondent nos.1

2. At the time of accident I was doing private job with a company named Insar Healthcare Pvt. Ltd.. At that time I was drawing salary of Rs.20,000/- per month. The head office of the said company is at Ghansoli, New Bombay. I am presently working with the same company. It is true to say that, at the time of accident the claimant nos.1 & 2 were earning. It is not true to say that we three brothers resides separately from each other. It is true to say that, claimant nos.1 & 2 were married at the time of accident and they were residing alongwith their wife and children. The claimant no.3 got married in the year – 2013. It is not true to say that, claimant no.3 resides with her husband. The witness says that she is separated from her husband since – 2015. Claimant no.3 has a son from her husband. I have not filed any documents on record regarding the divorce of claimant no.3.

3. It is not true to say that, at the time of accident my father Liyakat was 70 years old. The witness says that he was 67 years old on the date of accident. It is not true to say that, because of old age my father used to stay at home. I have not filed any documents on record regarding the occupation and income of my father. It is not true to say that, my father was not working as a driver and was not earning Rs.15,000/- per month.

4. At the time of accident the age of my mother was between 55 to 58 years. She used to work as agricultural labour as and when she used to get work. It is not true to say that, my mother used to stay at home and used to do household work.

5. It is true to say that, the road on which accident occurred is a State Highway. I do not know whether the said road is 40 feet wide. I am aware that my father has a driving license. I have not filed on record copy of his driving license. I was at a distance at about 30 feet when the accident occurred. It is not true to say that, at the time of accident my father was proceeding from middle of the road. It is not true to say that, the accident occurred because of fault of my father. After the accident I took my parents to Civil Hospital, Killari. I had no talk with the doctors of the said Hospital regarding my parents. The admission process in the said Hospital was done by my relatives. With me my nephew Sarfaraj was present in the Hospital. I and Sarfaraj were present in the Hospital at the same time. It is true that the doctors at the said Hospital inquired as to how my parents were injured. I had told the doctors that they met with an accident by the vehicle as mentioned in the claim petition. On the next day of accident I myself informed police about the accident. It is true that the FIR is not lodged by me. It is not true to say that, to extract money

from the respondent I filed a false evidence affidavit. It is not true to say that, we claimants were not dependent on the income of our parents. It is not true to say that, the contents in my evidence affidavit regarding our dependency on parents, their income and the fault of respondent in the accident are incorrect. It is not true to say that, I am deposing false today.

Cross-examination is over.

No re-examination.

R.O.A.C.

Sd/-

(R. B. Bhagwat)

District Judge-2 and

Member M.A.C.T., Latur

Date :- 01/06/2026