

Witness i.e. Respondent No. 2 is now shown his affidavit of examination-in-chief. He identified his signature and the contents of documents. He has also filed copy of insurance policy, R.C. Card of the vehicle and screen shot of the registered detail vehicle of the Website of RTO.

2) Learned advocate Mr. A. S. Suryawanshi submitted that insurance copy of original copy of policy issued by insurance company, RC book is a verified copy and screen shot of the authorized Website and hence, these three documents be exhibited.

3) Learned advocate Mr. Wankhede holding for Mr. Hitesh Verma submitted that Insurance policy is a fake and fabricated document and it is a colour xerox and same should not be exhibited.

4) I have heard both the learned advocates at length. Considering the core issue regarding the genuineness of the policy. I am of the opinion that copy of insurance policy filed by Respondent No. 2 (Owner) is required to be exhibited for identification purpose keeping open all the objections of Insurance Company. Hence, these three documents are exhibited. Insurance Policy is at Exh **Exh. 38/1**. Photocopy of R. C. book is at to **38/2 and** Screen shot of registered vehicle details is at **Exh. 38/3**.

Cross examination for respondent No. 1 by advocate Mr. Wankhede

5) I have taken defence regarding involvement of my Tanker in the accident, but now I say that it is a formal defence and vehicle was involved in the accident. I have purchased the insurance policy by visiting in the office of the Insurance Company and it is near Aakashwani Chowk. I cannot say the exact name of the building and location of the office like Floor Number & Block Number etc. I cannot say the complete address of the office. I am not recollecting the name of the office person or the name of the concern clerk to

whom he has paid the premium amount. I am not having cash receipt with me and as such I cannot file on record. Witness says that he has original copy of insurance policy which he has filed. The name of the insurance company was HDFC Insurance Company. It is not true to say that I have not purchased the policy from HDFC Company and has not paid any premium amount. It is not true to say that document policy document Exh. 38/1 is fake and fabricated document and not issued by HDFC Company i.e. Respondent No.1.

6) I have stated in Para 5 of my affidavit that documents filed on record by Insurance Company are false, but I have not filed any complaint in Police Station against these documents. Witness is now shown notice document Exh. 34/4, he admitted that the address mentioned in the notice is his address. I have not replied said notice or initiated any correspondence with the company. It is true that Exh 38/1 i.e. policy filed by me is not bearing the rubber stamp of the company. It is not true to say that I am deposing false that I paid premium amount of Rs. 37,867/- to company. It is not true to say that I have obtained the policy by giving incorrect information to avoid the higher premium and I have not paid Rs. 37,867/- to company. It is not true to say that today I am deposing false. It is not true to say that insurance company is not liable to indemnify the claimant.

Cross examination for claimant by advocate Mr. P. S. Mirache -Declined.

No re. ROAC

Before me.

Nagpur
Dated : 24/03/2026

(A. H. Sayyed)
Member, M. A. C. T-4
Nagpur.