

BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL, NAGPUR. AT NAGPUR. (Presided over R.S.Salgaonkar, Member, M.A.C.T-2, Nagpur)	
M.A.Claim Petition No.	457/24
Exh. No.	Below Exh.17
Vilas Mule	Petitioner
Versus	
Ajay Jain	Respondent

[Evidence of witness No.1 for the Petitioner]

On solemn affirmation I depose that

My Name – Vilas Vasantao Mule

Aged about – 53 Years,

Occupation- Milkman.,

Address - Pachgaon, Tah.Umred, Dist.Nagpur.,

[Examination-in-Chief by Adv. Smt.S.A.Sonar for Petitioner]-

1] I have tendered my evidence on affidavit. Its contents are true and correct.

(**Order as to exhibiting of documents**

This is a quasi Judicial proceeding before Tribunal. The basic rules of evidence particularly, about format proof are not applicable to tribunal. Procedure and Powers of accident Claim Tribunal (MACT) are defined in 169 18 of M.V. Act, 1988 which expressly provides for summary procedure. Therefore, for identification purpose, all the documents tendered in evidence are admitted and be exhibited distinctly. Every such document will be read in evidence as this a summary procedure. Medical bills and vouchers are admitted in evidence as per the ratio is the case of **Dr.Dattatray Laxman Shinde V/s. Nana Raghunath Hire [(2011)6 All M R 646 (Bom.)]** decided by Honourable Bombay High Court.

It is with rider that, disability certificate (if any) and income certificate from private enterprise (if any) shall not be read in evidence unless formal proof as to contains are given.)

The documents admitted are given exhibit number as follows -

Exhibit No.	Description of document
20	Form AA
21	FIR
22	Spot panchanama
23	Insurance policy
24	Registration particulars of the offending vehicle
25	Driving license of the offending driver
26	Discharge card
27	Aadhaar card of Petitioner
28	Bank details of Petitioner
29	Pan card of Petitioner
30	Original disability certificate
31	Original discharge card
32	Original medical bill
33	Original medical bill
34	Original medical bill
35	Opinion of Dr.Sarda
36	Opinion of Dr.Oke

[Cross-Examination by Adv.Shri.C.C.Anthony for Respondent No.2]-(For insurance)

2] Ramkrushna Giradkar was driving the motorcycle. I was pillion rider on that motorcycle. I was wearing helmet at the time of accident. It is not true to say that, the ramkrushna was driving his motorcycle negligently and accident has caused due to his negligence. It is not true to say that, Tipper No. MH/49-AT-1065 was not negligent and this vehicle was not involved in the accident.

3] I have the business of cow and I sell milk from my cows. Now, I have only one cow. At the time of accident I had 20

cows for my business. It is not true to say that, I am deposing falsely that the I used to have twenty cows for my business. It is not true to say that, I am deposing falsely that I was earning Rs.15,000/- per month at the time of accident. Presently I do not do any occupation. It is not true to say that, my claim is false and excessive. It is not true to say that, I am deposing falsely.

[Cross-Examination by Adv.Shri.PD.Naukarkar for Respondent No.1]-Adopted as above.

[Cross-Examination Completed].

[Re-Examination Nil]

[Read over and admitted to be correct.]

Place : Nagpur

Dated : 20/02/2026

(Ratnakar S. Salgaonkar)

Member, M.A.C.T.-2, Nagpur.