

DEPOSITION OF WITNESS NO. 1 FOR THE PETITIONER

I do hereby state on solemn affirmation that-

Further examination in chief by Shri. p. S. Mirache, Advocate for petitioner

The affidavit now shown to me bears my signature. Contents therein are correct. It is marked as **Exh.22**. I have filed on record Form comp AA, FIR and Spot panchanama . They are respectively marked as **Exh.25 to 27**.

Cross-examination by Adv. Shri. Wankhede holding for Adv. Hitesh Verma for respondent No.1.

My date of birth is 16.5.1991. I am able to file proof of my age. The said accident was occurred on 18.07.2019 at about 8.00 a.m. The spot road is main road and therefore, there is traffic of vehicle. At the time of accident, tractor and trolley were behind me and my vehicle was middle portion of the road. It is false to say that at the time of accident, speed of my vehicle was 60 to 80 k.m. per hour. It is false to say that I was trying to overtake the tractor and trolley. It is false to say that without seen and suddenly I have turned my vehicle towards left side therefore, said accident was occurred. I was proceeded to Fish Market by two wheeler Access. Item of the market were tied with my two wheeler. It is false to say that therefore, I have failed to control my vehicle and due to dis-balance said accident was occurred. It is false to say that I was not holding valid driving license. It is false to say that I was not wear protective helmet. I have sustained injury to my right knee and left hand. I was admitted in Radhakrishna Hospital for treatment for 4 days. They have given proper treatment to me. Injuries are healed after one to one and half year of the incident. I myself came

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to Tribunal by walk. I have come to Tribunal from my village by my two wheeler Access 125. I am able to do my daily activities. I am not suffering from any permanent disability. I have not submitted any document to show that I have spent Rs. 1,00,000/- for my medical treatment. I have also not filed any document to show that I was doing labour work and getting income of Rs. 9,000/- per month. Today also I am doing business of fish and getting Rs. 200/- to 300/- per day. It is false to say that I have filed exaggerated claim petition against respondents. I do not know whether fitness and permit were not possessed by the owner of trolley and driver of offending vehicle was also not possessed valid driving license. I do not know the address of Dr. Kimmatkar.

Cross over:

Re-examination Nil

R.O.A.C.

Date : 13.02.2024

(Sajid A. Syed)
Member
MACT No.3, Nagpur