

**C. P. NO. 694/2019**  
**Raju Vs Tata AIG**  
**EXH. : 39**

**(The witness is to be examined on VC (google meet) on the request of witness as well as the party who summoned him as a witness. The otherside has no objection for such examination. The witness is Medical Practitioner and being present in his clinic on VC. The quality, both, audio and visual is good. Therefore, examination is commenced in presence of counsels for both the sides.)**

**DEPOSITION OF WITNESS NO. 3 FOR THE PETITIONER**

I do hereby on solemn affirmation state that -

My name : Dr. Nitin Vijay Kimmatkar,  
Aged about : 53 years  
Occupation : Medical Practitioner  
Resident of : Nagpur, District-Nagpur

**Examination-in-chief by P.S. Mirache, Advocate for petitioner .**

1. I am having hospital namely Anuradha Backpain at Nagpur and practising there since 2004. On 12.10.2021, a patient namely Raju came to my hospital for obtaining disability certificate. It was found healed lacerated wound on the first web space on left hand. I have clinically seen and examined him. He was having 15% disability. Accordingly, I have issued disability certificate. Now it is shown to me on screen. Its contents are true. It bears my signature and stamp. It is at **Exh.40**.

**Cross-examination by Adv. Vijay Wankhede on behalf of Adv. Hitesh Verma for respondent No.1:**

2. I am not having any document to show that on 12.10.2021, patient came to my hospital except disability certificate. Disability certificate does not bear signature or photo of patient. I am not his treating doctor. While perusing his discharge card, I have mentioned his

period of treatment 18.7.2019 to 21.7.2019. He was alive therefore stable has been mentioned on discharge card. He was not suffering from any fracture so no radiological evidences were collected. Injury like lacerated wound can be healed within 8 days. It is false to say that he is able to do all activities. I have issued disability pertaining left hand of the patient. I have issued disability certificate free of charge. According to guidelines, I have mentioned 15% disability. I am unable to state what is his present condition. It is not true to say that patient is not suffering from any permanent disability and I have issued false disability certificate. It is false to say that the disability is not functional. At the time of clinical examination of the patient, I have obtained notes. At present, I am not having it. I have not mentioned injury of lacerated wound on Exh.40. We used to maintain OPD register of the patient but at present I am not having same record. It is false to say that the patient did not come to my hospital and I have issued false disability certificate.

*Cross completed.*

*No re-examination.*

R.O.A.C.

Date: 10/02/2025

(Sajid A. Syed)  
Member,  
MACT-3, Nagpur.

**Note:- Evidence of this witness is recorded through Video Conferencing in presence of Adv.Shri PS.Mirache for petitioner and Adv. Vijay Wankhede on behalf of Adv. Hitesh Verma for respondent No.1.**