

DEPOSITION OF WITNESS NO.1 FOR PETITIONER

I do hereby state on solemn affirmation that-

My name : Saurabh Arvind Bhujade,
Aged : 22 years, Occ.: Nil,
R/o : Sagam Sawanga, Dist. Nagpur.

.....

Examination-in-chief of the witness by Adv. Smt. Manisha Sarode for Petitioner.

1] I am adducing evidence on affidavit. The affidavit now shown to me is the same. It bears my signature and contents therein are true and correct. Said affidavit is at **Exh.19**.

2] I have filed on record documents below list Exh.4. Form-AA is at **Exh.22** FIR is at **Exh.23**, spot panchanama is at **Exh.24**, copy of Insurance is at **Exh.25** (as insurance is admitted, it is exhibited), MLC is at **Exh.26**.

Cross-examination by Respondent No.1.

Respondent No.1 and his counsel absent when repeatedly called. Hence cross examination Nil.

Cross-examination by Adv. Shri Vijay Wankhede holding for Adv. Hitesh Verma for Respondent No.2.

3] My date of birth is 11.02.1998. I am ready to file on record my birth certificate. At the time of incident I was driving Activa. Said Activa was owned by my uncle Rameh Ghatode, R/o Sawanga. I cannot assign any reason as to why owner and insurer of Activa are not made party to the present petition. It is not true to say that I was not holding driving license to drive Activa. I am ready to file my driving license on record. We two person were travelling on the Activa. Devanand Ghatode was the pillion rider. It is not true to say that we had not worn helmet. It is not true to say that there is no reference of helmet in police papers.

4] I cannot tell the registration number of vehicle which had given dash to my Aactiva. So also the name of person driving the offending vehicle. It is not true to say that driver of offending vehicle was not holding driving license. I am ready to file copy of the same on record. My father lodged the report. Name of my father is Arvind. I cannot tell the reasons for delay in lodging FIR. It is not true to say that I am deposing falsely that at the time of accident I was aged 22 years. I was working with Raymond company. I am unable to file documents regarding my said employment. Company denied me to issue such document as I was working under contractship.

5] I have come to Nagpur from Sawanga on motorcycle i.e. gear bike. My brother accompanied me. I came in Court hall by walking. I am doing my daily routine activities. It is true to say that I had sustained injury to my head. It is not true to say that if I would have worn helmet, there would have been no injury to my head. Witness volunteers that he had worn helmet. It is not true to say that I am deposing falsely that I had incurred expenses of Rs.3,50,000/- on medical treatment. It is not true to say that after 2021 I had not gone to any hospital. I am ready to file document on record to that effect. It is true to say that the injury sustained to my head is reduced to some extent. It is not true to say that I am still able to do weaving. It is not true to say that presently also I am doing the same work and thereby earning Rs.25,000/- p.m. It is not true to say that I have not sustained permanent disability. It is not true to say that I am not having permanent disability certificate. I cannot tell the name of hospital but I had gone to Dr. Bhatnagar. I cannot tell the date when I approached him. I am ready to file prescription issued by him. I am ready to file the bills. I had also gone to him for follow up. It is not true to say that I have deposed falsely. It is not true to say that my claim is false.

Cross-examination for Respondent No.2.

Respondent No.2 and his counsel absent when repeatedly called.
Hence cross examination Nil.

Re-examination-Nil.

R.O.A.C.

Before me.

(P. B. Naikwad)
Member, MACT-1, Nagpur.
Date:02.07.2024.

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