

DEPOSITION OF WITNESS NO.5 FOR PETITIONER

(Through V.C.)

I do hereby state on solemn affirmation that-

My name : Dr. Abhinav Sudhirkumar Bhatnagar,
Aged : 38 years, Occ.: Orthopedic surgeon,
R/o : Kadbi Chowk Nagpur.

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

1] Since 2016 I am running Abhinav Multispeciality Hospital at Nagpur. Patient Saurabh Bhujade had come to my hospital on 12.08.2021. He had history of road traffic accident on 01.12.2020. He was treated at Seven Star Hospital. He had sustained fracture right femur shaft. Accordingly I assessed disability of 15% and issued certificate. The certificate now shown to me is the same. It bears my signature and stamp. The contents therein are true and correct. It is at **Exh.71.** He is having difficulty in sitting, walking for long distance and climbing staircase. The disability is of permanent nature.

Cross-examination for Respondent No.1.

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

Cross-examination by Adv. Wankhede 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: 13.12.2024

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As per order passed below Exh.72 cross-examination resumed on S.A. by Adv. Wankhede for Respondent No.2.

2] It is true to say that I never treated the patient Saurabh. The healing period of the injuries mentioned in disability certificate is two to three months. It is true to say that after healing of said injuries the patient is able to perform his day to day activities. It is true to say that the disability assessed by me is to a particular limb and not whole body. It is true to say that the disability mentioned in the certificate is of physical nature only and not functional. I have mentioned the treatment details in certificate as per discharge summary. The age of the patient was approximately 23 years. It is true to say that in young age the bone recovery is faster. It is true to say that the patient was in stable condition at the time of discharge. Except disability certificate I have no other document to show that patient had come to me for disability. It is true to say that there is no signature of patient on disability certificate. It is not true to say that the disability assessed by me is at higher side. I had not done any radiological examination. It is not true to say that said patient had never come to me for disability certificate. It is not true to say that the disability certificate issued by me is false. Hospital name is not mentioned on the top of the certificate.

Re-examination-Nil.

R.O.A.C.

Before me

(P. B. Naikwad)
Member, MACT-1, Nagpur.
Date: 24.03.2025

(P. B. Naikwad)
Member, MACT-1, Nagpur.
Date: 24.03.2025.