

DEPOSITION OF WITNESS NO.1 FOR THE PETITIONER

I do hereby state on solemn affirmation that-

My name : Devanand Sheshrao Ghatode,
Aged : 29 years, Occ.: Nil,
R/o : Sawanga, Nagpur.

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Examination-in-chief of the witness by Adv. R.P. Shindage 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.18.

2] I have filed on record documents below list Exh.4. Form-AA is at Exh.21, FIR is at Exh.22, spot panchanama is at Exh.23, copy of Insurance is at Exh.24, (as insurance is admitted, it is exhibited). I have filed on record copy of Adhar Card. I have produced original Adhar Card before Tribunal for verification. The same is as per original. It is at Exh.25.

Cross-examination for 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 01.07.1994. I have not filed on record my birth certificate. I am educated upto 12th standard. I have completed my 12th standard in 2022 or 2023. Accident took place on 01.12.2020 at 12:00 to 01:00 p.m. It is not true to say that before accident I was not doing any work. I was going to company for labour work and also was doing

cultivation in my field. Said field is owned by my father. I have not filed on record any document to show that I was working in the company and thereby getting income of Rs.14,000/- to 15,000/-. At the time of accident I was proceeding to Kelwad from Sawanga and I was pillion rider. It is true to say that there was no road divider. It is true to say that there was head on collision. At the time of accident Sourabh Bhujade was driving the motorcycle. It is not true to say that Sourabh was not holding driving license. I am ready to file the same on record. It is not true to say that Sourabh had not worn helmet. I had not worn the helmet. It is not true to say that accident took place as Sourabh was driving motorcycle at a high speed.

4] I had sustained injury to my right eye, forehead, stomach and legs. It is not true to say that the injuries sustained to me are now healed. It is true to say that I had come in Court by walking. I came to Nagpur from Saunsar by Railway. I am doing my own household work. I do not remember the registration number of the offending vehicle and name of its driver. I do not know as to whether the driver of offending vehicle was not holding driving license or what. I do not remember whether I had taken treatment in Government Hospital or what. It is not true to say that in Government Hospital my treatment was free or cost. I have not filed bills to that effect on record. It is not true to say that I am deposing falsely that I incurred expenses of Rs.3,50,000/- on my treatment. It is not true to say that I have filed exaggerated claim.

5] It is not true to say that after taking treatment in Rahate Hospital, I had not taken treatment in any other hospital. I had taken treatment in Parvati Hospital at village Khairi. It is not true to say that I did not obtain disability certificate. I do not remember the date so also the name of said

doctor who issued me certificate. I have not filed on record the document regarding the expenses incurred by me in medical treatment. I do not know how much percentage of disability is suffered by me. It is not true to say that I have filed false claim against the insurer.

Re-examination-Nil.

R.O.A.C.

Before me.

(P. B. Naikwad)
Member, MACT-1, Nagpur.
Date: 22.11.2023.

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