

DEPOSITION OF WITNESS NO.1 FOR PETITIONER

I do hereby state on solemn affirmation that-

My name : Janardan Eknath Sidam,
Aged : 39 years, Occ.: Driver,
R/o : Waigaon, Tah. Pawani, Dist. Bhandara.

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Examination-in-chief of witness by Adv. Shri G.D. Mankar 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.25**.

2] I have filed on record documents below list Exh.4. Form-AA is at **Article-A**, FIR is at **Article-B**, spot panchanama is at **Article-C**, injury report **Article-D**, copy of Insurance is at **Article-E**, driving license is at **Article-F**, registration certificate **Article-G**, permit is at **Article-F**, I have filed on record copy of Adhar Card and driving license. I have produced original Adhar Card and driving license before Tribunal for verification. The same are as per original. Adhar card is at **Exh.27** and driving license is at **Exh.28**.

Cross-examination by Adv. Shri Patil for Respondent No.1.

Respondent and his counsel absent when repeatedly called. Hence cross examination Nil.

Cross-examination for Respondent No.2.

On request cross examination is adjourned.

(P. B. Naikwad)
Member, MACT-1, Nagpur.
Date: 26.11.2025

In view of order passed below Exh.30 cross-examination resumed on S.A. by Adv. Shri A. M. Patil for Respondent No.1.

3] I am educated upto 12th standard. Accident occurred on 15.06.2010. At that time I was working as driver. I was driving Bolero pick-up. I was driver on said Bolero pick-up. I was not owner of the same. It is true to say that I have filed on record true copy of my driving license Exh.28. I have not filed on record the driving license valid on the day of accident. Mahindra pick-up was duly insured on the day of accident. The insurance of the Bolero pick up was third party insurance. It is not true to say that the insurance was comprehensive and I have received the compensation on the basis of the same. I have filed present claim in the year 2022. As documents were received belatedly, therefore thirteen years delay is caused in filing the petition. I have filed claim when I had received notice from Tribunal of the DAR. No such notice is filed on record.

4] I have not filed on record any document to show that in the year 2010 I was earning Rs.10,000/- p.m. It is not true to say that by imagination I have mentioned my income as Rs.10,000/- p.m. I have filed on record the medical papers to show that my both hands were fracture. I have not filed on record permanent disability certificate. It is not true to say that I am able to do work by my both hands. It is not true to say that I deposed falsely that my both hands are permanently disabled. It is not true to say that the claim made by me is imaginary. It is not true to say that on 15.06.2010 no accident occurred, therefore I did not file claim earlier. It is not true to say that as I came to know that compensation is awarded in accident cases, therefore I have filed this false claim to get the same.

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: 17.01.2026

(P. B. Naikwad)
Member, MACT-1, Nagpur.
Date: 17.01.2026

In view of order passed below Exh.32 cross-examination resumed on S.A. by Adv. Vaishali Bagade for Respondent No.2.

5] It is true to say that at the time of accident I was driving Mahindra Pick-up vehicle. I am holding driving license for transport vehicle. I have renewed the said license. I have filed on record copy of the same. Mahindra Pick-up was owned by Vinod Hajare. I have not filed on record copy of registration certificate of said vehicle. Presently I am working with one company. I am getting salary of Rs.10,000/- p.m. I am married and is having two children. My wife is doing cultivation. She used to earn Rs.7,000/- to 8,000/- p.m.

6] It is true to say that after accident I was admitted in GMC Hospital and there my entire treatment had taken place. It is not true to say that therefore I did not incur any expenses on medical treatment. I have not filed on record my discharge card. I cannot assign any reason as to why the claim is filed after ten years of the accident. I came to court by bus. It is not true to say that I am performing my daily routine work. It is not true to say that no accident of mine had taken place by truck No.MH-31-CQ-5661. It is not true to say that I did not suffer any disablement therefore I have not filed on record disability certificate. It is not true to say that whatever injuries I had sustained, the same are now healed. It is not true to say that I have not sustained any financial loss. It is not true to say that only to grab money I have filed present claim after ten years. It is not true to say that as truck was not involved in the accident therefore insurance company is not liable to pay me any compensation. It is not true to say that I have filed false claim and deposing falsely.

Re-examination-Nil.

R.O.A.C.

Before me.

(P. B. Naikwad)
Member, MACT-1, Nagpur.
Date: 03.02.2026

(P. B. Naikwad)
Member, MACT-1, Nagpur.
Date: 03.02.2026