

DEPOSITION OF WITNESS NO. 1 FOR THE PETITIONER

I do hereby state on solemn affirmation that-

Further examination in chief by Adv. Shri. P. S. Verma, Advocate for petitioners

The affidavit now shown to me bears my signature. Contents therein are correct. It is marked as **Exh.34**. I have filed on record Form comp AA, Copy of FIR/ Charge sheet and crime detail form. They are respectively marked as **Exh.46 to 48**.

Cross-examination by Adv. Shri. C.B. Pande for respondent No.4.

It is false to say that at the time of accident I was not wore protective helmet. It is false to say that I was not possessed valid driving license. I do not know the registration number of Tipper Truck. There was construction of road was going on. I do not remember whether there was traffic on road or not. It is false to say that due to construction of road one side was closed for transportation and other side was opened. Tipper Truck was overtaking from my right side. I saw the tipper overtaking on my mirror. It is false to say that I had not given side to overtaking Tipper truck. It is false to say that due to construction of road vehicles were passes from moderate speed. It is false to say that the said accident was occurred due to sole my negligence. It is false to say that there was no any fault of driver of Tipper Truck in respect of said accident. I do not know whether I have filed any document to show that vehicle registration No. TS-08-UP-9447 was insured with the office of respondent No.4. I do not know whether the said vehicle was not insured with the office of respondent No.4. My motor cycle was brand new therefore, not having registration number. I was driving the said motor cycle by Dealer Trade certificate

number. It is false to say that I was sustained minor injuries in the accident and which was already recovered. It is false to say that I have not suffered from any permanent disability. It is false to say that I have not spent Rs. 6,00,000/- for my medical treatment. Now I am serving Star Airlines since 4 to 5 months. I am getting salary of Rs. 25,000/- to 30,000/- per month. I have not submitted any document to show that I am not those any work as Indigo Airlines for 13 to 14 months and they were not paid me any salary. In the job of Star Airlines I am having more responsibility than job of Indigo Airlines. It is false to say that without any reason I have made party to respondent No.4. It is false to say that I have filed exaggerated claim petition against respondent No.4 and deposing falsely.

Cross-examination by Adv Shri. M.A. Pradhan for respondent No. 1-

I was driving motor cycle bearing Temporary Registration but I do not remember its full number. I was riding alone at that time. The motor cycle was owned by my father- Krishna Wadibhasme. I was insured with the office of respondent No.1 therefore, I have made party to them. My father was lodged report of incident against the driver of Tipper Truck. The said accident was occurred due to fault of Tipper Truck driver.

Cross-examination by Adv. Ranish Vyas for respondent No. 2 is absent when called, hence, no cross.

Cross over:

Re-examination Nil

R.O.A.C.

Date : 18.04.2024

(Sajid A. Syed)
Member
MACT No.3, Nagpur.