

M.A.C.P No.618/2024

Exh.15

CW-1

Further Chief-Examination for the claimant by Adv. Shri. V C. Sarode

14] Copy of FIR Exh.16, Copy of spot panchanama Exh.17, copy of post-mortem report Exh.18, copy of inquest panchanama Exh.19, Copy of R.C. Book Exh.20, copy of insurance policy Exh.21, copy of Adhar Card of the claimants Exh.22 collectively, copy of Adhar Card of deceased Exh.23, Form Com-AA Exh.24. Police report with postmortem examination Exh.25. Dead body receipt Exh.26, letter dated 13-03-2024 Exh.27, copy of geneal diary report Exh.28, letter to medical officer for getting opinion Exh.29.

Chief-examination is completed.

Respondent Nos. 1 and 2 absent hence no cross-examination.

Cross-examination by Advocate Shri. D. S. Kulkarni for the respondent No.1

15] I do not know whether the father of the Shubham is alive or not. The witness voluntarily stated that, the father of the Shubham is absconding since 2018. I had not seen the accident. Bhagwan Keshav Pawar is my relative. It is true to say that, he gave his motorcycle to my deceased son. Myson Shuhbam was using the motorcycle always for household work. It is true to say that he was coming late in the night hours. My house is at Mauli Nagar, Beed Bypass. The accident took place at about 00.30 hours.

16] It is not true to say that, my son and his friends were riding the motorcycle on the road for the purpose of racing in night hours. Police have not done any inquiry about the accident and death of my

son. At the time of accident Pawan Ganesh Bhadarge was also present with my son. It is true to say that he called Mr. Rangnath Khade after accident. It is not true to say that, they told me that, my son was skidded from the motorcycle due to high speed in the racing and died.

17] It is not true to say that, I have stated to police that, my son was died due to slip of the motorcycle in the racing. It is not true to say that, as to why the police have mentioned the above facts in police papers. I have no any enmity with police. It is true to say that, the handle of the motorcycle was stabbed in the stomach of my son and hence he died. It is true to say that, Pawan Ganesh Bhadarge has not sustained any injury in the accident. It is true to say that, Pawan has told me about the accident.

18] It is not true to say that, at the the time of accident my son was riding the motorcycle in high speed and therefore accident took place. It is not true to say that, I am deposing false that, my son Shubham was pillion rider and the accident took place due to negligence of Pawan Bhadarge. At the time of accident my son was holding valid driving license. I can produce the copy of the driving license in the Court. It is not true to say that, I have filed FIR after 18 days of the accident after thought and discussion with our advocate. It is not true to say that, the FIR was false and there was no negligence of Pawan Ganesh Bhadarge. It is not true to say that, I have lodged false FIR after thought because there was no involvement of Pawan Bhadarge. It is not true to say that, I am deposing false that the deceased was working as cook at Rajdhiraj Hotel and earning Rs.22,500/- per month.

19] It is not true to say that, I am deposing false that, myself

and my other son were dependent upon the income of the deceased. It is not true to say that, I have filed excessive claim of Rs.30,00,000/-. It is not true to say that, the insurance company is not liable to pay compensation due to breach of terms and conditions of the insurance policy. It is not true to say that, the insurance company is not liable to pay compensation as deceased rider was not third party. It is not true to say that, I have filed false affidavit and deposing false.

Cross-examination is over.

Re-examination : Nil.

R.O.A.C.,

Date : 23.02.2026

(M. S. Agrawal)
Additional Member,
Motor Accident Claims Tribunal,
Aurangabad.