



RCS No. 188/2017  
Godabai Vs. Aasha  
Exh. Below Exh.53.

**Further chief examination of defendant Witness No.2  
resumed on oath.**

**Further chief examination by Ld. Advocate Shri. R.R. Yadav**

2. Now, I am again shown a xerox copy of the report, which is filed as a document No.1 alongwith list (Exh.51). Said copy shows that it is issued by “Jeevanjyot Hospital, 97, Shanivar Peth, Satara”. The laboratory therein is affiliated with the said hospital and said laboratory is run by me. Said certificate is issued by the laboratory of the hospital. It is issued by me through the laboratory. The signature of Dr. Kolhapure is appearing thereon on behalf of me. The contents therein are mentioned as per the record of the laboratory. ( Said document is a xerox copy. Therefore, it cannot be exhibited. )

Examination cheif is over.

**Cross-examination by Adv. Shri. P.M. Kamble for the  
plaintiff.**

3. It is true to say that I have not submitted the record dtd. 28.04.1999. It is not true to say that I used to keep office copy of the certificate issued by me. Witness volunteers that I keep the office

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copy of such certificates in cases of Medico Legal Cases, insurance and the matters relating to the claims. It is mandatory to preserve such record for next five years as per the prescribed rules.

**Further cross examination is adjourned due to recess.**

(R.M.Bhende)

Dt.11-02-2025.

Jt. Civil Judge Jrn. Divn., Wai.

**After recess, further cross-examination is resumed on oath-**

4. It is true to say that I used to maintain register having details of the patient. It is true to say that such register may be preserved for next 50 years. It is true to say that the patient namely Damaji Gaikwad did not come to me directly, but he was referred to me by Dr. Pandit. It is true to say that the wife of Damaji was not medically examined. It is true to say that in the event of having sex by the patient on last night and if his simen are counted during his medical check up on very next day, the count of sperms of that patient may vary with comparing to his count during regular check up. It is true to say that the sperm count may increase by medication. It is not true to say that on the basis of sperm count mentioned in the certificate issued by me, the patient was still capable of propogating the child.

5. In one ml. simen, there are 400 to 450 milion sperm counts are generally found. It is true to say that out of those sperms, even one sperm is capable to conceive. It is possible to conceive by injecting one ml. simen or even less than it with good quantity of sperms of the male into intra-uterine of the female. It is true to say

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that the sperm counts as mentioned in the report / certificate issued by me, there is nowhere mentioned that those are of bad quality. It is true to say that Dr. Pandit was having every power to give treatment to the patient. It is true to say that I am not a gynecologist.

6. It is not true to say that Dr. Anil Kolhapure used to conduct every medical check up of every patient. It is true to say that generally the Medical Officer who carried out the check up, he has to sign the certificate. It is true to say that as the medical science has significantly developed, now a days having child of own is not a big concern. It is not true to say that I am deposing falsely only on the say of the defendant.

***Cross is over.***

***No re-examination.***

R.O.A.C.

Before me.

Jt. Civil Judge Jrn. Divn.,  
Wai, Satara.  
Dtd. 11-02-2025.

(R.M.Bhende)  
Jt. Civil Judge Jrn. Divn.,  
Wai, Satara.

**CERTIFICATE**

Taken before me and signed by me in presence of the accused, to whom the deposition was explained and opportunity was given to cross examine.

*Sd/-*

Dt.11-02-2025.

(R.M.Bhende)  
Jt. Civil Judge Jrn. Divn., Wai.