

Witness No. 01 for the applicant

Further examination-in-chief by and on behalf of the applicants by Adv. G.A.Vinod, resumed on solemn affirmation, on 21/08/2023

14] I have filed my affidavit of evidence on record. It is prepared as per my instructions. Its contents were read over and explained to me. Same are true and correct. It bears my signature.

15] I have filed certified copy of FIR No. 0218 of 2019, of panchanama, of inquest panchanama, of P. M. report, all dated 16/05/2021. Copies now shown to me, are the same. (Certified copies of FIR No. 0218 of 2019, of panchanama, of inquest panchanama, of P. M. report, all dated 16/05/2021, are at **Exh.26, 27, 28, and 29** respectively.)

16] (Opponent no. 02 has admitted insurance policy in written statement, Exh.20. Therefore, copy of insurance policy is exhibited at **Exh. 30.**)

17] I have filed verified copy of my Aadhar card, of Aadhar card of the deceased, and of applicant no.02. Copies now shown to me are the same. (Verified copy of Aadhar card of the witness, of the deceased and of applicant no. 02, are at **Exh. 31, 32 and 33** respectively.)

18] I have filed verified copy of employment identity card and driving license of the deceased. Copies now shown to me, are

the same. (Verified copy of employment identity card and of driving license of the deceased are at Exh. 34 and 35 respectively.)

Cross examination by and on behalf of opponent no. 01

19] See Order below Exh. 01, dated 27/07/2022.

20] In view of order passed below **Exh. 01**, dated 27/07/2022, petition, Exh.01, proceeded ex-parte against opponent no. 01.

Cross examination by and on behalf of opponent No.02 by Adv. A.K.Tiwari

21] My father in law is residing at our native place. He is Hindu Priest, since prior to my marriage. It is true that, livelihood of my mother in law and father in law, is being done on the income of my father in law. (Witness adds that) My mother in law is a retired police. She is getting pension since 2016.

22] I am B.Com. I am also Head Constable. My gross salary is approximately Rs.65,000/- per month. It will be correct to say that, I and applicant nos.04 and 05 were not dependent upon income of the deceased.

23] I have seen FIR and spot panchanama. It is true that, in FIR and spot panchanama, Exh.26 and 27 respectively, registration number of vehicle is not mentioned. At the time of accident, I was on my duty. It is not true to say that, vehicle, bearing registration

Exh.22

no. MH-06-AL-8762 is not involved in the accident. It is not true to say that, I am deposing false that, accident occurred due to negligence of vehicle, bearing registration no. MH-06-AL-8762. It is not true to say that, accident occurred due to sole negligence of my husband. It is not true to say that, I am deposing false about employment and salary of my husband. It is not true to say that, contents of my affidavit are incorrect. It is not true to say that, there is no nexus between accidental injuries and death of the deceased.

24] It is true that, he has suffered from Covid. It is not true to say that, I am deposing false.

Re-examination :

25] Nil

Before me

(S. N. Shah)
Member, M.A.C.T., Thane

R.O.A.C.

(S.N.Shah)
Member, M.A.C.T., Thane

Thane
Date :-21/08/2023