

On S. A. further examination in chief by Adv. Shri. Prashant Patil

9. Patient Shamim Ahmed Abu Shama Ahmed Khan had been to me on 21.01.2022. After examination, disability certificate was issued to him. A document dated 21.01.2022 now shown to me from the record is the said disability certificate. It bears my signature. I identify it. It is at **Exh.76.**

Cross examination for respondent No.1

10. No cross as Ex-parte.

Cross-examination for respondent No.2 by Adv. Shri. B. M. Umate [(Adv. Umate filed the authority letter (Exh.77)] :

11. I do not remember who referred the patient to me. I am not his treating doctor. I have not seen the patient either before or after 21.01.2022. Before issuing the disability certificate, I had seen the original medical papers of the patient. I again say that I do not remember whether I had seen the original medical papers or the copies of it. Before issuing disability certificate, fresh X-rays of the patient was taken. I have not maintained the record of it. I had not taken the separate notes in respect of examination of the patient. No thumb impression or the signature of patient was obtained on the disability certificate. It is true that no identification mark is mentioned on the disability certificate. I am not aware that any format is prescribed for disability certificate. I do not know that there is any authority to issue disability certificate. I being Orthopedic surgeon, I authorized to issue disability certificate. I don't submit the record in respect of examination and issuing disability certificate to the Government. I don't have any specific document suggesting the authorization to issue disability certificate. I am not aware whether findings of clinical examination and patient's complaint are reflected in medical papers. I am not aware what is the occupation of the patient. I cannot tell the occupational as well as functional disability of the patient.

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Exh.75(PW-5)

12. It is true that one case was filed against me in respect of issuance of disability certificate. Witness volunteers that one person had filed report in respect of issuance disability certificate, crime was registered, police investigated the crime, the police submitted the report under section 169 of Cr.P.C. and it was accepted by the Court.

13. There is no mention in the certificate whether disability mentioned by me is of a limb or of whole body. It is not true to suggest that without examination of the patient, I issued the disability certificate. I did not receive the witness summons.

No Re-exam.
R.O.A.C.

Before me,

Sd/-

(K. P. Shrikhande)

Date : 16.01.2026

Extra Jt. District Judge & Addl. Sessions
Judge as Member, M.A.C.T., Thane.