

Deposition of witness No.3

I do hereby on solemn affirmation state that,

Name : Vinayak Dattray Joshi.

Age : 61 Yrs.

Occupation : Neurosurgeon.

Address : Pachpakhadi, Thane.

Examination-in-chief for the petitioner by Adv. S. M. Pawar

1. I am doing the practice as Neurosurgeon since last 30 years. 'Neurotrauma Center' is my hospital. Lalit Bhalchandra Narkhede had been to my hospital for assessment of his disability on 26.07.2025. He had history of accident and had head injury.

2. I examined him clinically and assessed his disability 25%. It was the permanent partial neurological disability due to mild post head injury fits. Accordingly, I issued the disability certificate. A document (Article-B) dated 26.07.2025 now shown to me from the record is the said certificate. It bears my signature. I identify it. It is given on the letter head of my hospital. Its contents are true and correct. It is at **Exh.56**.

Cross-examination for respondent No.1 by Adv. H. P. Patil :

3. I have not treated the patient at any point of time. I have not maintained the register in respect of issuance of disability certificates. I have not maintained the clinical notes. No fresh CT-scan or X-ray was taken for the purpose of assessing the disability. I am not ophthalmic surgeon. I have not given any treatment to the patient.

4. If the person comes from the heat of sun and he suffers from the fits, then his disability assessed to 25%. The patient had given the conservative treatment for the head injuries (Conservative

treatment means having the fracture injury, but not under went surgery). The patient did not come to me either before or after 26.07.2025. He had not produced any document showing that he had history of fits. After issuing disability certificate he did not come to me complaining that he had fits. I do not know what was the occupation of the patient. It is not true to suggest that I issued false certificate. It is not true to suggest that I deposed falsely that the patient suffered 25% disability. It is not true to suggest that I deposed falsely.

Cross-examination for respondent No.2 by Adv. B. S. Dwivedi :

5. I do not know how many fits he had before issuing certificate. Currents of fits to the patient are life long. Having regard to the head injury fits, the percentage of whole body disability is the same i.e. 25%. No photograph of the patient is affixed on the certificate. It is not true to suggest that I deposed falafel to help the petitioner.

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

Before me,

Sd/-

(K. P. Shrikhande)

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

Date : 09.03.2026