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C.P No.13/2021

Arif V/s. Dineshsingh

Below Exh.19

Witness No.1 for Petitioner

**Further Examination-in-Chief by Adv.Smt.Bhattad for
Petitioner on S.A. -**

Name – Arif Sheikh Yusuf Sheikh

A/a - 48 Years,

Occup. - Nil.

R/o. - Ghughus, Chandrapur.

1] Contents of my evidence affidavit is true and correct, it bears my signature, it is at **Exh.19**, I have produced attested copy of Form AA it is at **Exh.23**, I have produced attested copy of FIR, it is at **Exh.24**, I have produced attested copy of crime detail form, it is at **Exh.25**, I have produced photo copy of insurance policy (Admitted), it is at **Exh.26**, I have produced attested copy of MLC, it is at **Exh.27**, I have produced attested copy of injury report, it is at **Exh.28**, I have produced photo copy of my Aadhar card, verified from original, it is at **Exh.29**.

Chief Examination completed.

Claim petition proceeded Ex-parte against Respondent No.1

**Cross Examination by Adv. for respondent No.2-
Shri.C.B.Pande on S.A.**

(Permission is granted u/sec.170 of M.V.Act vide order below Exh.30)

2] I was proceeding by my car from Chandrapur to Nagpur. The car was hired by me. There were total three persons in the car including me. I was driving Swift D'zire car. It is correct to say that, tyre of my car burst at MIDC

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square Bori. Therefore, I lost balance of my car. Matadoor came from my front side. My car gave dash to the left side of the Matadoor. I do not know whether the car which I was driving was having insurance policy.

3] Accident took place in the day time. It is not true to say that, rash and negligent driving by the driver of Matadoor is not responsible for the accident. It is correct to say that, accident took place because tyre of my car burst. I have not produced any document to show that, I was admitted in hospital from 14.08.2020 to 23.08.2020.

4] It is not true to say that, I sustained minor injuries in the accident therefore, I was not admitted in any hospital. It is not true to say that, I was not admitted in the hospital for accidental injuries. It is not true to say that, my treatment was done free of cost. It is not true to say that, I did not incur treatment expenditure of Rs.3,50,000/-.

5] It is not true to say that, my injures are cured and I can do daily routine activities. It is not true to say that, I have not sustained any permanent disability. Name of my employer is not written in the claim petition as well as in my evidence affidavit. It is not true to say that, I was not doing any job and earning Rs.15,000/- per month.

6] I was not doing any permanent job. I have not produced my driving licence on record. My driving licence is valid till 2027. I have not surrendered my driving licence after the accident. It is not true to say that, I have not

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sustained 15% permanent disability. It is not true to say that, I have filed false claim petition and I am claiming exorbitant amount of compensation.

Cross Examination Completed.

Re-Examination Nil

R.O.A.C.

(K. V. More)

Date: 10/09/2024

Member, M.A.C.T.-2, Nagpur.

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