

CP No. 145/2023

Exh. 34

On 18/08/2025:

Further Examination-in-chief of PW 1 resumed on S.A. by learned Advocate Smt. K.S. Anasane, for the petitioners :

1] I have produced the documents in a list Exh. 4, which are as follows :

- i] Copy of Form AA Exh. 35,
- ii] Copy of FIR with case diary Exh. 36,
- iii] Copy of spot panchnama Exh. 37,
- iv] Copy of inquest panchanama Exh. 38,
- v] True Copy of driving licence Exh. 39,
- vi] True copy of policy Exh. 40,
- vii] True copy of permit Exh. 41,
- viii] True copy of fitness Exh. 42,

Cross-examination for respondent No. 1, 3, 4:

2] Respondents and Advocates absent, hence, no cross.

Cross-examination for respondent No. 2:

3] On oral request, adjourned till next date.

Re-Examination – Nil.

R.O.A.C.

Before me

Sd/-

Dt/-18/08/2025.

(Smt. M.A. Baraliya)
Member,
Addl. Temp. MACT., Nagpur.

On 28/11/2025:

Cos-examination by Shri C.B. Pande, learned Advocate for respondent No. 2 :

4] I am not eyewitness of the accident. It is not correct to say that accident occurred due to negligence on the part of my husband. I do not recollect whether my husband was wearing helmet at the time of accident. It is not correct to say that my husband was not holding licence at that time. I have not produced its copy.

5] Chanda, is first wife of my husband. Chanda, has one daughter out of said wedlock. Parents of my husband are no more. It is correct to say that I got married with deceased when his marriage with Chanda in existence. Witness volunteers that said Chanda, was not residing with my husband and abandoned him and residing at her matrimonial home. I have not produced licence of business of my husband. I have not produced accounts of his grocery business. Said business is now closed. It is not correct to say that my husband was running grocery shop Uday Kirana and was not having annual income Rs. 5 lakh. It is not correct to say that I arrayed the truck unnecessarily in the petition. It is not correct to say that I produced false document with regard to involvement of said truck. It is not correct to say that my claim is false for excess and exorbitant amount.

Cross-examination by Shri M.P. Sharma, learned Advocate for respondent Nos. 3 and 4 :

6] I have not given details of my marriage with Prakash, in my affidavit and petition. Except Aadhar card, I have not produced

any document to show that I am widow/wife of the deceased. Birth place of my son Yug, is in Mayo Hospital, Nagpur. I have not produced his birth certificate. Witness volunteers that I have produced his Aadhar card. I do not know that name of Yug's mother is mentioned as Chanda, in his birth certificate. I have been knowing Prakash, since date of my marriage with him. I married with him on 13/6/2006. It was arranged marriage and not love marriage. Marriage solemnized at my home Borgaon, Tah. Lakhani, Dist. Bhandara. It is correct to say that I was knowing at the time of my marriage that Prakash's first marriage already solemnized with Chanda, respondent No. 3 and he has a daughter namely, Khushbu, respondent No. 4. Chanda and Khushbu, both were not residing at the house of Prakash, when I joined his company at his house. It is correct to say that Chanda, had also filed case for maintenance before Family Court. Witness volunteers that, however, she had withdrawn the said case. I do not know why Chanda, was residing separate from Prakash. It is correct to say that there was no divorce between Prakash and Chanda. Chanda, was residing separate since before my marriage with Prakash.

7] It is correct to say that I mentioned in my affidavit that Chanda, was residing separately since 20 years and it is correct. It is correct to say that Chanda, had filed the case only for maintenance. It is not correct to say that only Chanda, and her daughter is entitled for compensation and not myself and my son. It is not correct to say that only Chanda, and her daughter are legal heirs of

the deceased. It is not correct to say that we are not entitled for any compensation. It is not correct to say that Chanda, is only legally wedded wife of the deceased and marriage of both was in existence even on the date of his death. It is not correct to say that my marriage with deceased is not legal. I know that Khushbu, is taking education. It is not correct to say that my claim is false.

Re-Examination – Nil.

R.O.A.C.

Before me

Sd/-

Dt/-28/11/2025.

(Smt. M.A. Baraliya)
Member,
Addl. Temp. MACT., Nagpur.

CERTIFICATE

I affirm that the contents of this evidence are word to word as per original evidence uploaded in the CIS System by way of PDF File.

Name of Stenographer : A.W. Sangle.