

M.C.O.C. SPECIAL CASE NO. OF 21/06**DATE:- 30th June, 2010****EXT.No.434****DEPOSITION OF WITNESS NO.9 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Jagdish Balaji Godiya

Age : 73 years

Occupation : Retired.

Res. Address : Gavasad Bhavan, Hati Pole, Rajmahel
Road, Vadodara, 390 301.

EXAMINATION-IN-CHIEF BY SPP RAJA THAKARE FOR THE STATE.

1. The incident took place on 11/07/06. At that time I had retired from government service as Superintending Engineer, Irrigation Department, Maharashtra Government. I was working as project consultant in a private contractor firm. My head office was in Khar(W). At that time I was staying with my daughter at Worli and was required to attend office at Khar. I was required to travel outside Mumbai to visit dam project sites.

2. On 11/07/06 I was traveling in a local train from Khar to Kandivali for some work of a society of Charkop where I used to live earlier. I reached the Khar railway station at about 6.11 or 6.12 p.m. from my office. I boarded the local train going from Churchgate to Borivali at about 6.21 p.m. on platform no.3 in the first class compartment that was the first from the Borivali side. The train had a heavy crowd. I did not get a seat. I was standing in between two rows of seats holding the handle. After the train started from Khar there was a loud explosion, a white blinding light

and then darkness. I do not know what happened further. I lost consciousness. I regained consciousness at about 7.00 or 7.30 p.m. in the V. N. Desai Hospital of Santacruz. I had sustained a multiple fracture of my right hand wrist and there was a large open wound. There were splinters in my head and foreign bodies in the right hand. My clothes were soaked in blood and torn. After the preliminary treatment I was taken to KEM Hospital and treated there from that day upto 30/08/06. From that day I had to leave my job because I was unable to work because of the injury. Police took my statement. There were six operations on my hand during this period, four out of them major. The end piece of the ulna bone is lost. I had to be operated upon for my hearing loss.

Cross-examination by Adv. Mokashi for A/1, 4, 5 and 6.

3. Declined.

Cross-examination by Adv. Wahab Khan for A/2, 7, 10 and 13

4. My statement was recorded at the KEM Hospital after about 3-4 days. I got a total compensation of Rs. 1.78 lacs.

Cross-examination by Adv. Azmi h/f P. L. Shetty for A/3, 9, 11 and 12 and A/8 in person

5. Declined.

No re-examination.

R.O.

Special Judge.

Date:- 30.06.10

**(Y.D. SHINDE)
SPECIAL JUDGE
UNDER MCOC ACT,99,
Gr. MUMBAI.**