‡gvKvg weÁ AwZwi³ †Rjv g¨vwR‡÷ªU Av`vjZ, Puv`cyi|

`t ‡gvt-775/2020Bs

‡gvt †mv‡nj wgwR ................cÖv\_©x|

ebvg

1. ‡mwjg †nv‡mb|
2. iæûj Avwgb wgwR Dfqmvs- avbyqv, \_vbv-dwi`MÄ, †Rjv-Puv`cyi|

...............cÖwZcÿMY|

‡dŠt Kvt wet AvB‡bi 107/117(wm) aviv|

**welqt cÖwZcÿMY c‡ÿ wjwLZ Reve|**

cÖwZcÿ c‡ÿ webxZ wb‡e`b GB †h,

1. cÖv\_x©i AÎ bs †gvKÏgvi AviwRi hveZxq weeiY GKQvo wg\_¨v, ZÂKZvg~jK, †hvM mvRwmK, nqivbx Kiv, m‡Z¨i wecixZ e‡U|
2. eZ©gvb AvKv‡i I cÖKv‡i AÎ bvwjkx Pwj‡Z wK iÿ cvB‡Z cv‡i bv|
3. cÖv\_x©i AviwRi Cause of action m¤ú~Y© wg\_¨v e‡U|
4. cÖv\_x©i AviwR‡Z †dŠt Kvt wewa AvB‡bi 145 avivi †Kvb Dcv`vb bv \_vKvq AÎ bvwjkx †gvKÏgvwU b\_xfz³ nB‡e|
5. cÖv\_x©i AviwR‡Z D‡jøwLZ bvwjkx f~wg‡Z cÖv\_x©i †Kvbiƒc ¯^Z¡ `Lj wKQzB bvB| bvwjkx f~wg‡Z cÖv\_x© ¯^Z¡ `Ljnxb Z…Zxq e¨w³ e‡U| cÖwZcÿMY bvwjkx f~wg‡Z gvwjK I `LjKvi e‡U|
6. cÖv\_x©i AviwRi ewY©Z g‡Z, cÖv\_x©cÿ wbixn, kvwšÍwcÖq, AvBb Kvby‡bi cÖwZ kÖ×vkxj †jvK nIqv wK; Aci w`‡b cÖwZcÿMY fxlY `yó, `y`©všÍ, ciab †jvfx †jvK nIqv wK; cÖwZcÿMY AvB‡bi cÖwZ †Kvb kÖ×v ev m¤§vb cÖ`k©b K‡i bv wK; Zdwmj bvwjkx f~wg cÖv\_x© weMZ 11/05/80Bs Zvwi‡Li 6778bs †nevbvgv Ges weMZ 05/02/87Bs Zvwi‡Li 1745bs †iwRtK…Z `vbcÎ `wjj g~‡j wcZv dvwR‡ji ingvb †gvwgb nB‡Z cÖvß nBqv gvwjK `LjKvi nq I Av‡Q wK; Bnv QvovI bvwjkx Rgv‡Z I `v‡M Acivci †ebvwjkx f~wg‡Z I cÖv\_x© ˆcwÎK Iqvwik m~‡Î gvwjK `LjKvi nq I Av‡Q wK; cÖv\_x© bvwjkx f~wg Pvl Kwiqv dmj djvBqv `Lj †fvM iZ nq I Av‡Q wK; B`vbx cÖv\_x© `yN©Ubvq cwZZ nBqv ¸iæZ¡i AvnZ nBqv `xN©w`b nvmcvZv‡j wPwKrmvaxb \_vwKqv m¤úªwZ evwo wdwiqv‡Q wK; cÖv\_x©‡K GKv wbixn I `ye©j cvBqv cÖv\_x©i gvwjKx I ‡fvM `Ljxq Zdwmj ewY©Z f~wgi cÖwZ cÖwZcÿMY m¤ú~Y© Ab¨vq †e-AvBbx fv‡e †jvfvK…ó nBqv bvwjkx f~wg †Rvi c~e©K `Lj Kivi Rb¨ wewfbœ cÖKvi cvqZviv I lohš¿ Kwiqv Avwm‡Z‡Q wK; cÖwZcÿMY bvwjkx f~wgi cv‡k e`jv, Kvgjv mn‡hv‡M BU, evjy ¯‘c Kwi‡Z‡Q Lei cvBqv 05/08/2017Bs †ivR kwbevi mKvj 10.00 NwUKvi mgq cÖv\_x© AwZ K‡ó bvwjkx f~wg‡Z hvBqv cÖwZcÿ‡`i KviY wRÁvmv Kwi‡j cÖwZcÿMY bvwjkx f~wg‡Z `vjvb‡KvVv wbg©vb Kwi‡j Ges Zvnv‡Z evav cÖ`vb Kwi‡j cwigvY fvj nB‡e bv ewjqv Rvbvq wK; nZe¤¢ cÖv\_x©i gvwjK `Ljxq bvwjkx f~wg‡Z cÖwZcÿM‡Yi †Kvb gvwjKvbv wK `Lj bvB weavq †Kvbiƒc †e`Lj RwbZ †eAvBbx Kvh© hvnv‡Z bv K‡i Zr g‡g© cÖwZcÿ‡`i `wj‡j cÖwZcÿMY wÿß D‡ËwRZ I gvigyLx nBqv cÖv\_x©‡K Avµgb Kwi‡Z D`¨Z nB‡j cÖv\_x©i WvK wPrKv‡i mvÿxMY mn Av‡iv A‡b‡K Avwmqv cÖwZcÿMY‡K evav w`qv cÖv\_x©‡K iÿv K‡i wK; cÖwZcÿMY cÖv\_x©‡K agKvq †h, †h‡Kvb gyû‡Z© cÖwZcÿMY Zdwmj f~wg nB‡Z cÖv\_x©‡K †e`Lj Kwi‡e I dmjvw` KvwUqv wbqv hvB‡e, cvK `vjvb Ki‡e Ges evav w`‡j cÖv\_x©‡K Lyb Kwi‡e wKsev cv KvwUqv wPiZ‡i c½y Kwiqv m¤úwË mva wgUvBqv w`‡e wK; cÖwZcÿMY †hiƒc wÿß I D‡ËwRZ Zvnv‡Z cÖwZcÿMY †h‡Kvb mgq †e-AvBbx †e`Lj RwbZ Kvh© Kwi‡Z cv‡i Ges evav w`‡Z wM‡j cÖv\_x©i Lyb RLg mn cÖv\_x© I GjvKvevmxi kvwšÍ k„•Ljv f‡½i ¸iæZ¡i Avk¼v we`¨gvb \_vKvi Dw³mn cÖv\_x©c‡ÿi `iLv‡¯Í ewY©Z hveZxq weeiY GKQvo wg\_¨v, f~qv, ev‡bvqvwU, ZÂKZvg~jK, miRwg‡bi wecixZ KwíZ Kvwnbx e‡U| GB DËiKvix cÖwZcÿMY Zvnv `„pZvi mwnZ A¯^xKvi Kwi‡Z‡Q|
7. cÖK…Z K\_v GB:
8. cÖv\_x© GKRb RyjygevR, ciweË‡jvfx, f~wg `my¨ †kÖYxi Rei `LjKvix †jvK nq| cÖv\_x© `xN©w`b we‡`k \_vwKqv Avw\_©Kfv‡e A\_©kvjx I cÖfve kvjx †jvK nq| cÖv\_x© A‡\_©i AnsKv‡i †`‡ki cÖPwjZ AvBb Kvbyb Z\_v mvwjk `ievi †Kvb wKQzB gvb¨ K‡i bv| cÿvšÍ‡i cÖwZcÿMY AZxe wbixn, mnR, mij, AvBb Kvby‡bi cÖwZ kÖ×vkxj †jvK nq| cÖv\_x© I 1,2bs cÖwZcÿMY ci¯úi ci®ú‡ii Avcb m‡nv`i fvB nq| cÖv\_x© I cÖwZcÿMY GKB evwoi evwm›`v nq| 1bs cÖwZcÿ AZxe wbixn K…lK †kÖYxi †jvK nq| 1bs cÖwZcÿ K…wlKvR Kwiqv RxweKv wbe©vn K‡i| 2bs cÖwZcÿ AZxe wbixn K…lK †kÖYxi †jvK nq Ges K…wlKvR Kwiqv RxweKv wbe©vn K‡i|
9. ‡Rjv- Puv`cyi \_vbv- dwi`MÄ GjvKvaxb 279bs Pig\_yiv †gŠRvi wm.Gm. 57bs LwZqv‡b cÖv\_x©i `v`v nvwg` Avjx bv‡g †iKW© nBqv h\_vixwZ cÖKvwkZ I cÖPvwiZ nq| cÖv\_x©i `v`v nvwg` Avjxi g„Zz¨i ci cÖv\_x©i evev dvwRj wgqv mn Ab¨vb¨ kixK‡`i bv‡g Avi.Gm. 55bs LwZqvb †iKW© nBqv h\_vixwZ cÖKvwkZ I cÖPvwiZ nq| cÖv\_x© I 1, 2 bs cÖwZc‡ÿi wcZv dvwRj ‡gvwgb bvwjkx mv‡eK 176 `v‡M 33 kZvsk f~wgi gvwjK I †fvM `LjKvi \_vwKqv evsjv‡`k Rixcvg‡ji c~‡e© mv‡eK 176 `v‡M 06 kZvsk f~wg Zvnvi eo †Q‡j mvgQzwÏb‡K `vbcÎ `wjj g~‡j `vb Kwiqv w`qv `Lj Ac©Y K‡i Ges wmivR †gvwgb Gi wbKU 03 kZvsk f~wg wewµ Kwiqv `Lj Ac©Y K‡i| evsjv‡`k Rixcvg‡j cÖv\_x© I 1, 2bs cÖwZc‡ÿi wcZv, gvZv I eo fvB Gi bv‡g wW.wc. 337bs LwZqv‡b mv‡eK 176 `vM nvj 329 I 326 `v‡M 25 kZvsk f~wg †iKW© nBqv h\_vixwZ cÖKvwkZ I cÖPvwiZ nq|
10. evsjv‡`k Rixcvg‡ji ci cÖv\_x© I 1, 2 bs cÖwZc‡ÿi wcZv weMZ 05/02/1987Bs Zvwi‡L cÖv\_©x I 1bs cÖwZcÿ MÖnxZv Ges cÖv\_x© I cÖwZc‡ÿi wcZv dvwR‡ji ingvb `vZv m~PK 1745bs †iwRtK…Z `vb cÎ `wjj g~‡j bvwjkx mv‡eK 176 nvj 329 I 326 `v‡M †gvt 06 kZvsk f~wg `vb Kwiqv `Lj Ac©Y Kwi‡j cÖv\_x© I 1bs cÖwZcÿ (03 + 03) = 06 kZvsk f~wg‡Z gvwjK I †fvM `LjKvi nq I Av‡Q| ZvQvov cÖv\_x©i wcZv Rxegv‡b Inve gwgb Gi wbKU bvwjkx `v‡M 02 kZvsk f~wg wewµ Kwiqv `Lj Ac©Y K‡i|
11. ewY©Z g‡Z cÖv\_x© I 1, 2bs cÖwZc‡ÿi wcZv bvwjkx `v‡M wewµ ev` 16 kZvsk f~wg Aewkó i‡q‡Q| g„Zz¨Kv‡j dvwR‡ji ingvb †gvwgb 4 cyÎ I 1 Kb¨v Iqvwik ivwLqv g„Zz¨eiY Kwi‡j bvwjkx `v‡M 4 cyÎ I 1 Kb¨v Iqvwik wn‡m‡e gvwjK I `LjKvi nq|
12. cÖv\_x© bvwjkx `v‡M weMZ 05/02/1987Bs Zvwi‡Li 1745bs †iwRtK…Z `vbcÎ `wjjg~‡j cÖvß 03 kZvsk I Iqvwikm~‡Î cÖvß bvwjkx `v‡Mi f~wg nB‡Z 01 kZvsk mn GKz‡b 04 kZvsk f~wg Ges cÖv\_x©i I 1bs cÖwZc‡ÿi GKgvÎ †evb †g‡niæb‡bQv Av‡cvl e›U‡b cÖvß bvwjkx `v‡M 03 kZvsk f~wg cÖv\_x© I cÖv\_x©i †evb †g‡niæb‡bQv `vZv m~PK Ges 1bs cÖwZcÿ MÖnxZv m~PK weMZ 06/06/12Bs Zvwi‡L †iwRtK…Z 3813bs †nevbvgv `wjj g~‡j †gvt 07 kZvsk f~wg cÖv\_x© I cÖv\_x©i †evb wewµ Kwiqv `Lj Ac©Y Kwi‡j 1bs cÖwZcÿ `Lj cÖvß nBqv †fvM `LjKvi nq I Av‡Q|
13. 1bs cÖwZcÿ cÖv\_x©i wbKU nB‡Z 04 kZK, †evb †g‡niæb‡bQv nB‡Z 03 kZK Ges wcZvi wbKU nB‡Z 1745bs `vbcÎ `wjj g~‡j cÖvß 03 kZK GKz‡b 10 kZK f~wg 1bs cÖwZcÿ Lwi`m~‡Î I `vbcÎ `wjjg~‡j gvwjK I †fvM `LjKvi \_vwKqv Z\_vq eû UvKv LiP Kwiqv gvwU ‡dwjqv fivU Kwiqv Z\_vq emZ Ni wbg©v‡bi Dc‡hvMx Kiv nq| GQvovI 1bs cÖwZcÿ bvwjkx `v‡Mi f~wg‡Z Lwi`K…Z 10 kZvsk f~wg QvovI ˆcwÎK Iqvwik m~‡Î Av‡iv .0325 GKi f~wgi gvwjK I †fvM `LjKvi nq I Av‡Q| 1bs cÖwZcÿ bvwjkx `v‡M Zvnvi Lwi`K…Z 10 kZK m¤úwË‡Z cwievi cwiRb wbqv emevm Kivi Rb¨ cÖv\_x© I GjvKvi me© mvavi‡Yi ÁvZmv‡i wewìs wbg©vb Gi KvR ïiæ K‡i| 1bs cÖwZcÿ wewìs wbg©vb Gi KvR `xN©w`b hver ïiæ Kwiqv fxg, †MÖU fxg, †mcwU U¨viwK, 20 wU wcjvi Ges Pviw`‡K B‡Ui ‡`Iqvj wbg©vb K‡i Ges wmwoi KvR m¤úbœ Kivi ci Qv` XvjvB †`Iqvi cÖ¯‘wZ wb‡j cÖv\_x© m¤ú~Y© Amr D‡Ï‡k¨ Ges 1bs cÖwZcÿ‡K Avw\_©Kfv‡e ÿwZMÖ¯’ Kivi Amr D‡Ï‡k¨ 1bs cÖwZc‡ÿi RvqMv AvK…ó Kwiqv wg\_¨v †PŠûÏx D‡jøL Kwiqv `xN©w`b ci wbg©vb KvR eÜ Kivi KzgZj‡e Ges Amr D‡Ï‡k¨ AÎ bs wg\_¨v †gvKÏgv Avbqb Kiv nBqv‡Q| 1bs cÖwZcÿ AvB‡bi cÖwZ kÖ×vkxj †jvK nq| 1bs cÖwZcÿ weÁ Av`vj‡Zi †bvwUk cvIqvi ci wewìs wbg©vb KvR eÜ Kwiqv †`q| 1bs cÖwZcÿ wbg©vb mvgMÖx h\_v- †jvnvi iW, wm‡g›U, evjy BZ¨vw` †iv‡` cy‡o Ges e„wó‡Z wf‡R ÿwZMÖ¯’ nB‡Z‡Q|
14. cÖv\_x©i AviwR‡Z D‡jøwLZ weMZ 11/05/1980Bs Zvwi‡Li 6878bs †nevbvgv `wj‡ji †Kvb Aw¯ÍZ¡ bvB| D³ `wjjwU GKwU m„wRZ, Rvj-RvwjqvwZ KvMRvZ Qvov wKQzB bq| 2bs cÖwZcÿ bvwjkx `v‡M ˆcwÎK Iqvwik m~‡Î gvwjK I †fvM `LjKvi nq I Av‡Q| 1 I 2bs cÖwZcÿ weMZ 05/08/2017Bs ZvwiL †ivR kwbevi mKvj Abygvb 10.00 NwUKvi mgq BU, evjy ¯‘c Kwiqv ivLvi Dw³ m¤ú~Y© wg\_¨v I ev‡bvqvwU e‡U| 1bs cÖwZcÿ Kw\_Z NUbvi Zvwi‡Li 7/8 gvm c~e© nB‡Z `vjvb wbg©vb ïiæ Kwiqv Qv` XvjvB †`Iqvi c~e© gyû‡Z© wg\_¨v weei‡Y nqivYx Kivi Amr D‡Ï‡k¨ AÎ bs wg\_¨v †gvKÏgv Avbqb Kwiqv‡Q cÖwZcÿMY Øviv kvwšÍfs‡Mi †Kvbiƒc Avk¼v bvB|
15. eµx A¨vW‡fv‡KU ïbvbxKv‡j evPwbK wb‡ew`Z nB‡e|

‡mg‡Z webxZ wb‡e`b ûRyiv`vj‡Z `qv cÖKv‡k b¨vq wePv‡ii ¯^v‡\_© Dc‡iv³ Ae¯’v I KviYvax‡b AÎ bs †gvKÏgvi cÖwZcÿ‡`i KviY `k©v‡bvi `vq nB‡Z Ae¨vnwZ w`qv AÎ bs †gvKÏgv b\_xfzw³i Av‡`k `v‡b mywePvi Kwi‡Z ûRy‡ii m`q gwR© nq| BwZ Zvs- 10/10/2021Bs