‡gvKvg weÁ †Rjv I `vqiv RR Av`vjZ, Puv`cyi|

‡gvt bs- /2018Bs

wmwfj wiwfkb

1. ‡gvmvt †gvn‡Qbv †eMg, cwZ- g„Z Aveyj Kvjvg,
2. Avãyjøvn gRyg`vi,
3. BmgvBj gRyg`vi,
4. ‡gvmvt dv‡Zgv Av³vi, me© wcZv- g„Z Aveyj Kvjvg,
5. dvinvbv Av³vi,

me© mvs- evwbqv †Pv, †cvt wLjcvov evRvi, \_vbv- nvRxMÄ, †Rjv- Puv`cyi|

--------------ev`x cÖv\_x©|

ebvg

1. eveyj wgqv,
2. ev”Pz wgqv, me© wcZv- g„Z my›`i Avjx,
3. bvwRi Avnv¤§`,
4. ZvQwjgv †eMg, cwZ- evejy wgqv, me© mvs- evwbqv †Pv, ‡cvt wLjcvov,
5. Igi dviæK, wcZv- g„Z byiæj Bmjvg,
6. Lywk©`v †eMg, cwZ- g„Z byiæj Bmjvg,
7. ‡ivkb Avjx, wcZv- g„Z dRi Avjx,
8. ‡Mvjvg MvDm, wcZv- †ivkb Avjx,
9. iv‡eqv LvZzb, cwZ- †iŠkb Avjx, me© mvs- wbwðšÍcyi, ‡cvt wLjcvov,
10. kvnR DwÏb, wcZv- gbni Avjx,
11. kvnvbviv †eMg, cwZ- kvnvRwÏb, me© mvs- Zviv cvjøv, †cvt- wLjcvov, me© \_vbv- nvRxMÄ, †Rjv- Puv`cyi|

------------weev`x cÖwZcÿ|

Bnv weÁ nvRxMÄ mnKvix RR Av`vj‡Zi ‡`t ¯^Z¡ 65/2007Bs bs †gvKÏgvi weMZ 04/02/2018Bs Zvwi‡Li 58bs Av‡`‡ki Am¤§wZ‡Z AÎ wmwfj wiwfkb †gvKÏgv Ges Bnv †`t Kvt wet AvB‡bi 115(1) avivi weavb g‡Z cÖwZKv‡ii cÖv\_©bv|

ev`x cÖv\_x© c‡ÿ webxZ wb‡e`b GB †h,

cÖv\_x©cÿ weÁ nvRxMÄ mnKvix RR Av`vj‡Z ¯’vqx wb‡lavÁvi cÖv\_©bvq †`t 65/2007Bs †gvKÏgv `v‡qi Kwi‡j D³ †gvKÏgv hveZxq ¯Íi AwZµg Kwiqv †`vZidv m~‡Î weMZ 22/07/2010Bs Zvwi‡L ev`x cÖv\_x©c‡ÿ cÖPvwiZ ivq Ges 27/07/2010Bs Zvwi‡L cÖv\_x©cÿ wWµx cÖPvwiZ nq| Zrci D³ iv‡qi Am¤§wZ‡Z cÖwZcÿ weev`x gvbbxq †Rjv RR evnv`yi Av`vj‡Z 110/2010bs †`t Avcxj `v‡qi Kwi‡j D³ †gvKÏgv ¯’vbvšÍwiZ nBqv weÁ hyM¥ †Rjv RR 1g Av`vj‡Z †cÖwiZ nB‡j weÁ wb¤œ Av`vj‡Zi ‡`t ¯^Z¡ 65/2007 †gvKÏgvq weMZ 22/07/2012Bs Zvwi‡Li wWµx i` I iwnZ µ‡g Avcxj gÄyi nB‡j D³ iv‡qi Am¤§wZ‡Z cÖv\_x©cÿ gnvgvb¨ nvB‡KvU© wWwfkv‡b wmwfj wiwfkb bs- 4309/2012bs †gvKÏgv `v‡qi Kwi‡j gvbbxq nvB‡KvU© weÁ hyM¥ †Rjv RR Av`vj‡Zi Av‡`k Set aside Kwiqv mywbw`©ó w`K wb‡`©kbv mnKv‡i weÁ wb¤œ Av`vj‡Z wigv‡Û †cÖiY K‡ib| Zrci gnvgvb¨ nvB‡Kv‡U©i w`K wb‡`©kbv Abymv‡i bvwjkx f~wg nvRxMÄ \_vbvaxb 152bs evwbqv ‡Pv †gŠRvi wm.Gm. 43 Gm.G. 21bs LwZqv‡bi we.Gm. 304 `v‡Mi f~wg mv‡eK wm.Gm. I Gm.G. 271 `v‡Mi f~wg‡K AvK…ó K‡i wKbv Zvnv wbwðZ nIqvi Rb¨ GK wb‡`©kbv cÖ`vb K‡ib| D³ Av‡`k Gi gg© g‡Z cÖv\_x©cÿ weMZ 15/01/2017Bs Zvwi‡L †`t Kvt wewa AvB‡bi 26 AW©vi 9 iæ‡ji weavb g‡Z Local investigation Gi cÖv\_©bv Kwi‡j weÁ Kwgkbvi mv‡ne gnvgvb¨ nvB‡Kv‡U©i wb‡`©kbv †gvZv‡eK bvwjkx wm.Gm. I we.Gm. g¨vc fvIivBqv miRwg‡b cwigvc µ‡g GK mwVK cÖwZ‡e`b `vwLj K‡i| Zrci D³ cÖwZ‡e`‡bi weiæ‡× †Kvb AvcwË Av‡Q wKbv weÁ Av`vjZ wb‡`©k cÖ`vb Kwi‡j weev`xcÿ †Kvb AvcwË wKsev `xN© w`b AvcwË `vwLj bv Kivi Kvi‡Y weÁ Av`vjZ †gvKÏgvwU weMZ 22/01/2018Bs Zvwi‡L hyw³ Z‡K©i Rb¨ avh© iv‡Lb| wKš‘ H Zvwi‡L weev`x cÖwZcÿ nB‡Z †`t Kvt wewa AvB‡bi 39 AW©vi 7 iæ‡ji weavb g‡Z Local investigation Gi cÖv\_©bv Kwi‡j weÁ Av`vjZ weMZ 04/02/2018Bs Zvwi‡L Dfq c‡ÿi ïbvbx A‡šÍ weev`x cÖwZcÿ KZ…©K weMZ 22/01/2018Bs Zvwi‡Li `iLv¯Í gÄyi µ‡g Ges 2000/- UvKv Kwgkb wd `vwLj Kiv mv‡c‡ÿ AvMvgx 28/03/2018Bs Zvwi‡L hyw³ ZK© ïbvbx I Kwgkb wd `vwL‡ji Rb¨ avh© iv‡L| D³iƒc wel‡q ev`x cÖv\_x©cÿ nB‡Z weÁ Av`vjZ‡K evi evi gnvgvb¨ nvB‡KvU© KZ…©K mywbw`©ó wb‡`©kbv cwoqv ïbv‡bvi ciI Ges weev`x cÖwZc‡ÿi `vwLjxq weMZ 22/01/2018Bs Zvwi‡Li `iLv¯Í m¤ú~Y©iƒ‡c gnvgvb¨ nvB‡Kv‡U©i w`K wb‡`©kbvi cwicwš’ weavq Zvnv ev`x cÖv\_x©cÿ nB‡Z evi evi ejv ¯^‡Z¡I weÁ wb¤œ Av`vjZ å‡g cwZZ nBqv Ges gnvgvb¨ nvB‡Kv‡U©i w`K wb‡`©kbv‡K GovBqv gbMovfv‡e weMZ 22/01/2018Bs Zvwi‡Li `iLv¯Í gÄyi Kivq ev`x cÖv\_x© c‡ÿi Ac~iYxq ÿwZ Awb‡ói KviY nBqv‡Q| Z`Ae¯’vq cÖv\_x© cÿ weMZ 04/02/2018Bs Zvwi‡Li 58bs Av‡`k i` I iwn‡Zi cÖv\_©bvq Acivci KviY †nZz mg~n mn wb¤œ ewY©Z KviYvax‡b weÁ wb¤œ Av`vj‡Zi Av‡`k Gi Am¤§wZ‡Z AÎ wiwfkb †gvKÏgv `v‡qi Kwiqv‡Q| cÖv\_x©cÿ AvBbZ I b¨vqZ cÖv\_x©Ziƒc cÖwZKvi cvB‡Z ¯^Z¡evb I `vex K‡i|

-t KviY I †nZz mg~n t-

1. ‡h‡nZz weÁ wb¤œ Av`vj‡Zi weMZ 04/02/2018Bs Zvwi‡Li 58bs Av‡`k m¤ú~b© †eAvBbx I b¨vq wePv‡ii cwicwš’ e‡U|
2. ‡h‡nZz cÖwZcÿMY weMZ 22/01/2018Bs Zvwi‡Li gnvgvb¨ nvB‡KvU© KZ…©K w`K wb‡`©kbv‡K cvk KvUvBqv †`t Kvt wewa AvB‡bi 39 AW©vi 7(K) iæ‡ji weavb g‡Z Local investigation Gi cÖv\_©bv Kivi †Kvb AvBbMZ †Kvb KviY bvB| 39 AW©vi 7 iæ‡ji weavb g‡Z investigation Gi cÖv\_©bv Kivq D³ `iLv¯Í LvwiR Kiv m½Z wQj|
3. ‡h‡nZz Avcxj Av`vjZ KZ…©K mywbw`©ó w`K wb‡`©kbv wQj †h, ÒThe Trial Court is directed to ascertain whether the B. S. Plot No. 304 corresponds to C.S. and S.A. plot 271 and dispose of the suit Within 3 (three) months from receipt of this judgment. In the meantime, the parties are directed to maintain *status quo* in respect of Possession and Position of the suit land. There is no order as to cost.Ó Zrci D³iƒc wel‡q cÖv\_x©cÿ gnvgvb¨ nvB‡Kv‡U©i wb‡`©kbv †gvZv‡eK †`t Kvt AvB‡bi 26 AW©vi 9 iæ‡ji weavb g‡Z Gi Local investigation cÖv\_©bv Kwi‡j Zvnv gÄyi nBqv mwVK cÖwZ‡e`b weÁ wb¤œ Av`vj‡Z Rgv nq, hvnv bw\_‡Z Av‡Q| GB †ÿ‡Î weÁ wb¤œ Av`vjZ gnvgvb¨ nvB‡KvU© wb‡`©kbv‡K GovBqv cÖwZcÿMY KZ…©K `vwLjK…Z weMZ 22/01/2018Bs Zvwi‡Li `iLv¯Í ïbvbx A‡šÍ gÄyi Kiv b¨vq m½Z nq bvB| wKš‘ Dnv bv Kwiqv weÁ wb¤œ Av`vjZ gb Movfv‡e `iLv¯Í gÄyi Kwiqv gnvgvb¨ nvB‡Kv‡U©i Av‡`k‡K Aegvbbv Kwiqv‡Q, hvnv AvBb I BKzBwU cwicwš’|
4. ‡h‡nZz weÁ wb¤œ Av`vjZ cÖwZcÿ KZ…©K `vwLjxq weMZ 22/01/2018Bs Zvwi‡Li ZcwQj Z`‡šÍi welq mg~n BwZc~‡e© ¯^vÿ¨ cÖgvY MÖn‡Y wb®úwË nBqv‡Q Ges †h‡nZz weMZ 22/01/2018Bs Zvwi‡Li `vwLjK…Z `iLv‡¯Íi Z`šÍxq welq e¯‘ ¯^vÿ¨ cÖgvY Øviv wba©viY †hvM¨| Z`ve¯’vq D³ `iLv¯Í bv gÄyi Kiv m½Z wQj| Z` wecixZ wm×všÍ gbMov I b¨vq wePvi cwicwš’ e‡U|
5. ‡h‡nZz `vwLjK…Z 22/01/2018Bs Zvwi‡Li `iLv‡¯Íi Z`šÍxq welq¸wji Dci Kwgkbvi KZ…©K ¯’vbxq fv‡e ¯^vÿ¨ wb‡j cÿ‡`i g‡a¨ gvivgvwi, KvUvKvwU nIqvi m¤¢ebv we`¨gvb \_vKvq weÁ Av`vj‡Zi DwPr wQj D³ `iLv¯Í bv gÄyi Kiv| Z`wecixZ wm×všÍ AvBb I BKzBwU cwicwš’ e‡U|
6. ‡h‡nZz weMZ 22/01/2018Bs Zvwi‡Li `iLv¯Í Local Inspection bv wK Local Investigation Gi `iLv¯Í Dnv my®úó b‡n weavq H `iLv¯Í bv gÄyi Kiv DwPr wQj|

Z` Ae¯’vq cÖv\_x©MY weÁ wb¤œ Av`vj‡Zi weMZ 04/02/2018Bs Zvwi‡Li 58bs Av‡`k g~‡j b¨vq wePvi nB‡Z ewÂZ nBqv D³ Av‡`k ivq I iwnZ µ‡g Ges weMZ 22/01/2018Bs Zvwi‡Li cÖwZcÿMY KZ…©K `vwLjxq `iLv¯Í bv gÄyi nBqv †gvKÏgvwU ïaygvÎ hyw³ Z‡K©i Rb¨ avh© µ‡g weÁ wb¤œ Av`vj‡Zi cÖwZ Av‡`k cÖ`vb Kwi‡Z g‡nv`q Gi m`q gwR© nq|

ev` eµx evPwbK fv‡e wb‡ew`Z nB‡e|

Dc‡iv³ Ae¯’v I KviYvax‡b weÁ Av`vjZ `qv cie‡k nBqv AÎ wiwfkb †gvKÏgv MÖnY KiZt weÁ mnKvix RR nvRxMÄ Av`vjZ nB‡Z †gvt 65/2007Bs †gvKÏgvq b\_x Zj‡e AvbvBqv cÖwZcÿM‡Yi cÖwZ †bvwUk w`qv Dfq c‡ÿi ïbvbx MÖnY KiZ 22/01/2018Bs Zvwi‡Li `iLv‡¯Íi Abye‡j 04/02/2018Bs Zvwi‡Li 58bs Av‡`k i` I iwnZ µ‡g †gvKÏgvwU ïaygvÎ hyw³ ZK© MÖn‡Yi Av‡`k `v‡b ûRy‡ii gwR© nq| BwZ Zvs-

mZ¨cvV

AÎ AvwR©i hr hveZxq weeiY Avgvi Ávb I wek¦vm g‡Z mZ¨| AÎ mZ¨Zvq wb‡¤œ Avgvi wbR bvg ¯^vÿi Kwijvg|