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

`t ‡gvt bs- 606/2018Bs

kvnivw¯Í \_vbv

‡gvt AvjgMxi †nv‡mb ---------ev`x|

ebvg

KvRx †gvt Avey Igi Ms ----cÖwZcÿ|

welq: 1-3 cÖwZcÿ wjwLZ Reve|

1-3bs cÖwZc‡ÿ webxZ wb‡e`b GB †h,

1. cÖv\_x© I cÖv\_x©i `iLv‡¯Íi ZcwQj f~wg‡Z eZ©gv‡b weÁ wmt mnKvix RR kvn&ivw¯Í Av`vj‡Z †`t 43/2018Bs ‡gvKÏgv 11bs Av‡`k g~‡j A¯’vqx wb‡lavÁv envj \_vKvq AÎ Av`vj‡Z AÎ †gvKÏgv Maintainable b‡n|
2. cÖv\_x© cÿ weÁ Av`vj‡Z GB cÖwZc‡ÿi weiæ‡× cÖv\_x©Z f~wg m¤ú‡K© A¯’vqx wb‡lavÁvi cÖv\_©bv Kivi Av‡`k bv gÄyi nIqvq D³ cÖv\_x©cÿ D³ welq m¤ú~Y© †MvcY Kwiqv AÎ †gvKÏgv `v‡qi Gi †Kvb AvBbMZ GLwZqvi bvB|
3. cÖv\_x© cÿ bvwjkx f~wg m¤ú‡K© mwVK gvwjKZv D‡jøL bv Kivq Ges mwVK Z\_¨ Dc¯’vcb bv Kiv Ges bvwjkx f~wg‡Z cÖv\_x©c‡ÿ wbiæ¼zk `Lj bv \_vKvq AÎ †gvKÏgv AiÿYxq e‡U|
4. cÖv\_x© AÎ †gvKÏgv By the principle of estoppel waiver Gi Kvi‡Y AiÿYxq e‡U|
5. wWbvBjt cÖv\_x©i `iLv‡¯Íi ewY©Z g‡Z, AÎ gvgjvi ‡gvt †nv‡mb ˆcwÎK Iqvwik m~‡Î †gvt .3817 GKi f~wg‡Z gvwjK nBqv K‡ZK f~wg n¯ÍvšÍi Kwiqv H †gŠRvi †ebvwjkx Aci †RvZ Rgvq ˆcwÎK As‡k gvwjKxq bvwjkx I †ebvwjkx f~wg eve‡Z ZØxq åvZv †gvt nvQvb Ges †gvt `wj‡ji ingv‡bi mwnZ cvwievwiK Av‡cvl e›Ubg‡Z †fvM `L‡j \_vKvKv‡j we.Gm. 277bs LwZqv‡b †gvt `wj‡ji ingvb Gi bv‡g †gvt .24 GKi, we.Gm. 415bs LwZqv‡b †gvt nvQb Gi bv‡g †gvt .09 GKi Ges we.Gm. 414bs LwZqv‡b †gvt †nv‡mb Gi bv‡g †gvt .31 GKi f~wg‡Z gvwjK ¯^Z¡evb nBqv †fvM `L‡j \_vKvKv‡j ¯^ ¯^ bv‡g we.Gm. †iKW© nq| we.Gm. †iKWx©q gvwjK †gvt †nv‡mb Zvi gvwjKx ‡fvM `Ljxq mv‡eK 120, 121, 122, 123, 110 `vM nv‡j 192 `v‡M 1& Avbv †gvt .31 GKi f~wg‡Z ‡fvM `L‡j \_vKvKv‡j wbR cÖ‡qvR‡b UvKvi Avek¨K nIqvq weMZ 04/04/2012Bs Zvwi‡L †iwRtK…Z 1086bs QvdKejv `wjj g~‡j †gvt .18 GKi f~wg Zvnvi fvwMbv AÎ cÖv\_x©i wbKU wewµ Kwiqv m‡iRwg‡b `Lj eySvBqv †`q| we.Gm. ‡iKWx©q gvwjK †gvt †nv‡mb Zvnvi gvwjKxq eµx †gvt .13 GKi f~wg weµx mve¨¯’ Kwiqv weµxi mg¨K g~j¨ gs- 1,95,000/- UvKv eyS cÖ‡eva Kwiqv wbqv AÎ cÖv\_x©i wbKU †gŠwLKfv‡e weµx Kwiqv m‡iRwg‡b `Lj eySvBqv w`qv weµxZ .13 GKi f~wg †iwRw÷ªi cÖ°v‡j KvMRcÎ ch©v‡jvPbvq †`Lv hvq we.Gm. 414bs LwZqv‡bi P~ovšÍ †M‡RZ Kwc‡Z we.Gm. 192 `v‡Mi ¯’‡j wcÖw›Us fz‡ji Kvi‡Y 292 `vM wjwc nIqvq we.Gm. gvwjK †gvt †nv‡mb Gi †gŠwLK wewµZ .13 GKi f~wg we.Gm. LwZqv‡bi ÎæwU ms‡kvab e¨ZxZ †iwRw÷ª Kiv m¤¢e b‡n weavq Dnv AÎ cÖv\_x©i eiev‡i †iwRw÷ªi A‡cÿvq Av‡Q| cÖv\_x©c‡ÿi †iwRw÷ªK…Z `wjj g~‡j Lwi`v .18 GKi Ges †gŠwLK Lwi`v ‡gvt .13 GKi GKz‡b .31 GKi f~wg‡Z †fvM `L‡j \_vwKqv eû UvKv e¨‡q wKQz As‡k gvwU fivU Kwiqv g~j¨evb MvQ MvQvjx jvMvBqv cÖf~Z DbœwZ mvab Kwi‡j 1-3bs cÖwZcÿ bvwjkx wb¤œ ZcwQj f~wgi cÖwZ †jvfvZzi nBqv bvwjkx f~wg †Rvi c~e©K `Lj KiZt bvwjkx ZcwQj f~wg‡Z cvKv evDÛvix Iqvj wbg©vY Kivi Amr D‡Ï‡k¨ weMZ 24/03/2018Bs ‡ivR kwbevi mKvj Abygvb 7.00 NwUKvi mgq AÁvZ bvgv 10/12 Rb kÖwgK R‡ov Kwiqv wcKAvc UªvK‡hv‡M BU, evjy, iW, wm‡g›U Avwbq ¯‘c Kwi‡Z \_vwK‡j AÎ cÖv\_©xcÿ ¯’vbxq MY¨gvb¨ e¨w³MY Øviv evav w`‡j 1-3bs cÖwZcÿ I Zvnv‡`i R‡ovK…Z 10/12 Rb kÖwgK Zvnv‡`i Amr D‡Ï‡k¨ nvwm‡j e¨\_© nBqv wcQz n‡U hvq| cieZx©‡Z 1-3bs cÖwZcÿMY weMZ 15/06/2018Bs ZvwiL †ivR ïµevi mKvj 9.00 NwUKvi mgq c~bivq bvwjkx f~wg‡Z cvKv evDÛvix wbg©v‡Yi ‡Póv Kwi‡j cÖv\_x©i evavi gy‡L cÖwZcÿMY wcQz n‡Z hvq| 1-3bs cÖwZcÿ Lye D‡ËwRZ I wÿß nBqv ûgwK agwK w`qv e‡j †h, AwP‡iB Av‡iv †jvKRb fvov Kwiqv Avwbqv bvwjkx wb¤œ ZcwQj f~wg Rei `Lj Kwi‡e, bvwjkx f~wg‡Z †Rvi c~e©K evDÛvix Iqvj wbg©vY Kwi‡e, ZcwQj f~wgi AvKvi cÖKvi cwieZ©b Kwi‡e| Bnv‡Z cÖv\_x©cÿ evav w`‡j cÖv‡Y gvwiqv jvk ¸g Kwiqv †dwj‡e g‡g© agKv agwK Kwi‡Z‡Q weavq 1-3bs cÖwZc‡ÿi weiæ‡× †dŠt Kvt wet AvB‡bi 145 avivi weavb g‡Z cÖ‡mwWs Bmy¨ KiZt ZcwQj f~wg‡Z GK wb‡lavÁvi Av‡`k nIqv GKvšÍ Avek¨K| GB cÖwZcÿ `„pZvi mwnZ A¯^xKvi K‡i|
6. cÖK…Z welq GB †h, †Rjv mv‡eK wÎcyiv cieZx©‡Z Kzwgjøv nv‡j Puv`cyi Aaxb kvn&ivw¯Í Dc‡Rjvaxb 234bs ivpv †gŠRvi wm.Gm. 5 LwZqv‡b mg¨K 2.29 GKi f~wg‡Z GKK fv‡e gvwjK `LjxKvi wQ‡jb Avãym mvjvg, weMZ Gm.G. Rwic Avg‡j I wm.Gm. †Ubv›U Avãym mvjv‡gi bv‡g Gm.G. 5bs LwZqvb mwVK I ï×fv‡e †iKW© nq| Zrci bvwjkx Rgvi kixK Avãym mvjvg Gi Iqvwik cyÎ `wjjyi ingvb I †gvnv¤§` †nv‡mb nB‡Z GB cÖwZc‡ÿi c~e©eZx© weMZ 28/04/1988Bs Zvwi‡Li 2568bs †iwRtK…Z mvdKejv `wjjg~‡j mv‡eK 120 nvj 196/192 `v‡M †gvt .29 GKi Ges mv‡eK 123 nvj 192 `v‡M .09 GKi f~wg GKz‡b .38 GKi f~wg GB cÖwZc‡ÿi c~e©eZx© Lwi` g~‡j gvwjK \_vwKqv bvwjkx ZcwQj f~wg‡Z wZb w`‡K evDÛvix m„R‡b ¯^cwiev‡i emevm Kwi‡Z \_vKv Ae¯’vq cieZx©‡Z bvwjkx f~wg m¤ú‡K© GB cÖwZc‡ÿi Lwi`xq `wj‡j we.Gm. `vM fzj nIqvi Kvi‡Y weÁ kvn&ivw¯Í mnKvix RR Av`vj‡Z †gvt 43/2018Bs †gvKÏgv `v‡qi Kwiqv cÖv\_x©i evqv †gvnv¤§` †nv‡mb Gi weiæ‡× †`t Kvt AvB‡bi 39 AW©vi 1 iæ‡ji weavb g‡Z A¯’vqx wb‡lavÁvi cÖv\_©bv Kwi‡j GB cÖv\_x© cÿ 1 AW©vi 10 iæ‡ji weavb g‡Z weev`x †kÖYxfz³ nIqvi cÖv\_©bv Kwi‡j G 43/18bs †gvKÏgvq GB cÖv\_x© cÿ 19bs weev`x †kÖYxfz³ nq| H mgq GB cÖv\_x© Zvnvi evqv †gvnv¤§` †nv‡mb KZ…©K Avg‡gv³vi wbhy³ nBqv bvwjkx ZcwQj f~wg m¤ú‡K© GK A¯’vqx wb‡lavÁvi cÖv\_©bv Kwi‡j weÁ Av`vjZ GB cÖwZcÿ KZ…©K `v‡qi K…Z A¯’vqx wb‡lavÁv gÄyi K‡i Ges cÖv\_x© KZ…©K `v‡qi K…Z A¯’vqx wb‡lavÁv bv gÄyi K‡ib| cieZx© GB cÖv\_x© cÿ KZ…©K GB cÖwZc‡ÿi weiæ‡× weÁ kvnivw¯Í Av`vj‡Z bvwjkx f~wg m¤ú‡K© †`t Kvt AvB‡bi 39 AW©vi 1 iæ‡ji weavb g‡Z GK `iLv¯Í `vwLj Kwi‡j Dfq c‡ÿi ïbvbx A‡šÍ AvMvgx 10/07/2018Bs ZvwiL AvcwË `vwL‡ji Rb¨ avh©¨ iv‡L|
7. Z`Ae¯’vq cÖv\_x© c‡ÿ AÎ †gvKÏgv `v‡qi Gi †Kvb KviY DcRvZ nq bvB| Z`Ae¯’vq cÖv\_x©i AÎ †gvKÏgv LvwiR nB‡e|
8. ev` eµx weÁ †KŠïjx KZ…©K evPwbK wb‡ew`Z nB‡e|

AZGe, ewY©Z Ae¯’v I KviYvax‡b cÖv\_x©c‡ÿ `v‡qi K…Z AÎ †gvKÏgv ÿwZ LiP mn Lvwi‡Ri Av‡`k `v‡b ûRy‡ii gwR© nq| BwZ Zvs-