‡gvKvg weÁ j¨vÛ mv‡f© UªvBeyb¨vj Puv`cyi|

**‡gvt bs- 419/15Bs**

**j¨vÛ mv‡f©**

**‡gvt iwdKzj Bmjvg .................ev`x|**

**ebvg**

**nvqvZ fvby Ms ................weev`x|**

**welq: †`t Kvt AvB‡bi 39 AW©vi 1 iæ‡ji weavb g‡Z ev`xi weiæ‡× A¯’vqx wb‡lavÁvi Av‡e`b|**

**3-13bs weev`x c‡ÿ webxZ wb‡e`b GB †h,**

**†Rjv mv‡eK wÎcyiv cieZx©‡Z Kzwgjøv nv‡j Puv`cyi †Rjvaxb gZje Dc‡Rjvq 174bs Lw`icyi †gŠRvi wm.Gm. 170bs LwZqv‡b †gvt 1.53 GKi fywg‡Z Afq PiY `vm ¸ß gvwjK `LjxKvi wQ‡jb| cÖKvk \_v‡K †h, bvwjkx mv‡eK 296 `v‡M evwo f~wg hvnvi cwigvb 1.10 GKi f~wg D³ `v‡Mi wnm¨v|. As‡k mv‡eK 296 `v‡M D³ LwZqv‡b .27 GKi f~wg wjwc nq| eµx mv‡eK 296 `v‡Mi f~wg m¤ú‡K© wfbœ wfbœ wm.Gm LwZqvb wjwc nq| Zrci Afq PiY `vm ¸‡ßi g„Zz¨‡Z Zvnvi IqvwikMY gvLb jvj `vm ¸ß I KvwšÍ fylY `vm ¸ß weMZ 04/10/69Bs Zvwi‡Li 6794bs `wjjg~‡j bvwjkx mv‡eK 296 `vM mn Acivci `v‡M .7650 GKi f~wg GB weev`x `iLv¯ÍKvixM‡Yi c~e©eZx© Avt ingvb I Avt Avjxi eive‡i `Lj n¯ÍvšÍ‡i weµq Kwi‡j GB weev`x `iLv¯ÍKvixM‡Yi c~e©eZx© Dnv‡Z Lwi`m~‡Î gvwjK `LjxKvi nq I \_v‡K| Z`fv‡e bvwjkx Rgvi kixK cÖRv gvLb jvj `vm ¸ß Aci GK wKËv `wjj g~‡j bvwjkx mv‡eK 296 `v‡Mi f~wg mn Ab¨vb¨ `v‡Mi f~wg GK‡Î †gvt .7650 GKi f~wg weMZ 13/10/69Bs Zvwi‡Li †iwRtK…Z 7054bs `wjjg~‡j GB weev`x `iLv¯ÍKvixM‡Yi c~e©eZx© Avt ingvb †gvjøv I Avt Avjxi eive‡i `Lj n¯ÍvšÍi Kwi‡j GB weev`x `iLv¯ÍKvixM‡Yi c~e©eZx© Dnv‡Z Lwi` m~‡Î gvwjK `LjxKvi nq I \_v‡K|**

**Abyiƒcfv‡e bvwjkx Rgvi kixK cÖRv KvwšÍ f~lb `vm ¸ß bvwjkx mv‡eK 296 `v‡Mi f~wg mn Acivci `v‡Mi f~wg GK‡Î †gvt .2650 GKi f~wg weMZ 13/10/69Bs Zvwi‡Li 7059bs `wjj g~‡j GB DËiKvix weev`x `iLv¯ÍKvixM‡Yi c~e©eZx© Avt ingvb I Avt Avjxi eive‡i `Lj n¯ÍvšÍ‡i weµq Kwi‡j GB weev`x `iLv¯ÍKvixM‡Yi c~e©eZx© Dnv‡Z Lwi`m~‡Î gvwjK `LjxKvi nq I \_v‡K|**

**cÖvKewY©Z g‡Z GB DËiKvix weev`x `iLv¯ÍKvixM‡Yi c~e©eZx©MY bvwjkx mv‡eK 296 `vM mn Acivci `v‡M wZb wKËv `wjj g~‡j 2.2950 GKi f~wg‡Z gvwjK `LjxKvi \_vwKqv AvbygvwbK 50 ermi a‡i Lwi`v f~wg‡Z `Ljve¯’vq Dnv‡Z gvwjK I `LjxKvi nq I \_v‡K| Z`ycwi weMZ Gm.G. Rwic Avg‡j ev`xM‡Yi c~e©eZx© `wjj `vZv Aj½ †gvnb `vm ¸ß, KvwšÍf~lY `vm ¸ß, gvLb jvj `vm ¸‡ßi bv‡g Gm.G 291bs LwZqvb mwVK I ï×iƒ‡c wjwc nq| Zrci bvwjkx mv‡eK 296 `vM evox f~wg nIqvi Kvi‡Y LwiÏvi weev`x Zvnv‡`i jßvjwß `L‡ji myweav‡\_© D³ 296 `v‡Mi mg¨K 1.10 GKi f~wgi g‡a¨ †gŠwLK GIqvR I Av‡cv‡l bvwjkx we.Gm. 278 LwZqv‡bi mv‡eK 296 nvj we.Gm. 365 `v‡M .05 GKi, 367 `v‡M .48 GKi, 639 `v‡M .02 GKi f~wg GKz‡b .55 GKi f~wg †iKW© nq| D³ mv‡eK 296 `v‡M nvj 367 `v‡M .48 GKi f~wgi g‡a¨ .03 GKi f~wg eve` ev`xc‡ÿi †iKW© ms‡kva‡bi cÖv\_©bv Kiv GKQvo N„wbZ wg\_¨v e‡U| e¯‘Zc‡ÿ bvwjkx 296 `v‡M ev`xc‡ÿi gvwjKZv I `Lj bv \_vKvq Ges Zr m¤úwK©Z `wjjvw` †e-AvBbx I AKvh©Kix nIqvq Z`ycwi ev`xM‡Yi `vexK…Z f~wgi gvwjKZv m¤úwK©Z †R‡bvjwR mwVK ï× bv nIqvq ev`xcÿ cÖv\_x©Ziƒc cÖwZKvi cvB‡e bv| Z` Ae¯’vq we.Gm. Rwic Avg‡j ev¯Íe `L‡ji wfwË‡Z mv‡eK 296 nv‡j we.Gm. 367 `v‡M †gvt .48 GKi f~wg mwVK I ï×fv‡e †iKW© nq|**

**ewY©Zfv‡e AvwR©i weeiY g‡Z bvwjkx 296 `v‡M m~PvMÖ cwigvY f~wg‡Z ev`xi ¯^Z¡ `Lj bvB Ges ZwK©Z †gŠwLK e‡›`ve‡¯Íi †Kvb AvBbMZ wfwË bvB| cÖKvk \_v‡K †h, bvwjkx mv‡eK 296 `v‡M bvwjkx 170 LwZqv‡b Ges Acivci LwZqv‡b GKz‡b †gvt 1.10 GKi f~wg wewfbœ bvwjkx Rgvi LwiÏviMY nB‡Z Lwi`m~‡Î gvwjK `LjxKvi \_vKv Ae¯’vq Zvn‡`i bv‡g we.Gm. LwZqvb mwVK I ï×iƒ‡c wjwc nq| AviI cÖKvk \_v‡K †h, bvwjkx mv‡eK 296 `v‡M eZ©gv‡b Lwi`K…Z f~wg‡Z Zvnviv Askvbynv‡i gvwjK `LjxKvi Av‡Q| eZ©gv‡b bvwjkx mv‡eK 296 `v‡Mi evwo f~wg‡Z GB weev`x `iLv¯ÍKvixM‡Yi c~e©eZx©MY c~e©eZx© Avgj nB‡Z bvwjkx mv‡eK 296 `v‡Mi evwo f~wg‡Z Ni‡`vi D‡Ëvj‡b ¯^cwiev‡i emevm Kwi‡Z‡Q| Z`ve¯’vq ev`xcÿ bvwjkx Rgvi mv‡eK 296 `v‡M g~j gvwjKMY nB‡Z †Kvb Lwi` weµq bv \_vKvq cÖPwjZ AvB‡b ev`xi †Kvb ¯^Z¡ ¯^v\_© AwR©Z nq bvB| GB weev`x cÿ AvBb Kvby‡bi cÖwZ kÖ×vkxj I `ye©j I mnR mij †kÖYxi †jvK nq| B`vbxs ev`xcÿ LyeB D‡ËwRZ wÿß nBqv‡Q †h, bvwjkx ZcwQj ewb©Z f~wg †Rv‡i ReŸ‡i cÖ‡ek Kwi‡e g‡g© agKv agKx Kwi‡Z‡Q| Z`ve¯’vq GB weev`xi kvwšÍc~Y© `Lj weNœ m„wó nB‡e| Zrci weMZ 15/04/2018Bs Zvwi‡L ev`xcÿ GB weev`x cÿ‡K agwK w`qv‡Q †h, Zvnviv AwP‡iB ZcwQj ewY©Z f~wg‡Z cÖ‡ek Kwiqv gvwU Øviv fivU Kwiqv Z\_vq be¨fv‡e M„nvw` D‡Ëvjb Kwi‡e| Z`ve¯’vq ev`xi weiæ‡× †`t Kvt AvB‡bi 39 AW©vi 1 iæ‡ji weavb g‡Z †gvKÏgv wb®úwË bv nIqv ch©šÍ bvwjkx f~wg‡Z hvnv‡Z cÖ‡ek Kwi‡Z bv cv‡i ev †Kvb AvKvi AvK…wZ iƒcvšÍi cwieZ©b bv Kwi‡Z cv‡i ev n¯ÍvšÍi Kwi‡Z bv cv‡i Zb¥‡g© GK Av‡`k nIqv Avek¨K| GB `iLv¯ÍKvix weev`xi Good arguable case Ges Prima facie title Av‡Q Ges wb‡lavÁv bv gÄy‡ii Balance of convenience GB weev`xi AbyK~‡j ev`xi cÖwZK~‡j|**

**AZGe ewY©Z Ae¯’v I KviYvax‡b ev`xcÿ hvnv‡Z †gvKÏgv wb®úwË bv nIqv ch©šÍ bvwjkx ZcwQj f~wg‡Z †Rv‡i ReŸ‡i cÖ‡ek Kwi‡Z bv cv‡i wKsev †Kvb AvKvi AvK…wZ cwieZ©b ev iƒcvšÍi ev n¯ÍvšÍi Kwi‡Z bv cv‡i Zr g‡g© †`t Kvt wet AvB‡b 39 AW©vi 1 iæ‡ji weavb g‡Z GK A¯’vqx wb‡lavÁvi Av‡`k `v‡b ûRy‡ii gwR© nq| BwZ Zvs-**

**ZcwQj f~wg**

**‡Rjv- Puv`cyi \_vbv gZje `wÿY GjvKvaxb wm.Gm. 170 LwZqvb Gm.G. 291 LwZqvb we.Gm. 278 LwZqv‡bi mv‡eK 296 nvj 367 †gvt .48 GKi f~wgi A›`‡i †gvt .03 GKi f~wg| hvnvi †PŠûwÏ: DË‡i- †gvt iwdKzj Bmjvg, `wÿ‡Y- ZvQwjgv Ms, c~‡e©- †gvt iwdKzj Bmjvg, cwð‡g- ZvQwjgv Ms|**

**mZ¨cvV**

**AÎ A¯’vqx wb‡lavÁvi `iLv‡¯Íi hr hveZxq weeib Avgvi Ávb I wek¦vmg‡Z mZ¨| AÎ mZ¨Zvq wbR bvg `¯ÍLZ Kwijvg|**