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

‡gvt bs- 1690/2017Bs

j¨vÛ mv‡f©

‡gvt gymwjg Luv Ms ----ev`x|

ebvg

nbydv †eMg Ms ---weev`x|

welq: 1-8bs weev`xc‡ÿ wjwLZ Reve|

1-8bs weev`xc‡ÿ wb‡e`b GB †h,

1. ev`xcÿ mwVK gvwjKZv D‡jøL bv Kivq AÎ †gvKÏgv AiÿYxq e‡U|
2. ev`xcÿ Ask AwZwi³ f~wg `vex Kivq AÎ †gvKÏgvq cÖv\_x©Ziƒc cÖwZKvi cvB‡Z cv‡i bv|
3. ev`xc‡ÿi `vexK…Z f~wg‡Z ¯^Z¡ `Lj bv \_vKvq Ges A®úó I AwPwýZ nIqvq AÎ †gvKÏgv AvBbZ I b¨vqZ Pwj‡Z cv‡i bv|
4. ev`xcÿ h\_v mgq G 30/31 aviv c`‡ÿc MÖnY bv Kivq AÎ †gvKÏgv A¼z‡i webó e‡U|
5. ev`xi †gvKÏgvq By the principle of estoppel waiver and acquiescence Gi Kvi‡Y AÎ †gvKÏgv AvBbMZ Locus ***standi*** bvB|
6. GB weev`xcÿ AÎ †gvKÏgvq AvwR©i ¯^xK…Z welq e¨ZxZ ev` eµx welq `„pZvi mwnZ A¯^xKvi K‡i|
7. cÖK…Z welq GB †h, †Rjv mv‡eK wÎcyiv cieZx©‡Z Kzwgjøv nv‡j Puv`cyi m`i \_vbvaxb 89bs weòz`x †gŠRvi wm.Gm. 164 LwZqv‡bi Rgv Rwgi f~wg‡Z Kvkxbv\_ P›`ª gvwjK \_vwK‡jI wm.Gm. Rix‡ci ïiæKv‡j D³ Kvwkbv\_ g„Zz¨eiY Kivq Zr cieZx©‡Z Kvkx P›`ª bv\_ Gi Iqvwik cyÎ K…ò Kzgvi bv\_ I Kvjx Kzgvi bv\_ weMZ 21/11/1918Bs Zvwi‡Li 625bs †iwRtK…Z mve Kejv g~‡j bvwjkx wm.Gm. 164 LwZqv‡b 5.81 GKi f~wg GB weev`x I ev`xM‡Yi c~e©eZx© imyj Luv Ms eive‡i weµq I `Lj n¯ÍvšÍi Kwi‡j D³ imyj Luv D³ `wj‡j As‡k 1.45 GKi f~wg‡Z gvwjK `LjxKvi nq I \_v‡K| Z`fv‡e D³ imyj Lvu g„Zz¨Kv‡j 2 cyÎ h\_v kãi Luv, Bw`ªm Luv I 1 Kb¨v h\_v gwjøKv †eMg‡K Iqvwik we`¨gv‡b g„Zz¨eiY Kwi‡j cÖ‡Z¨K cyÎ .5810 GKi Ges Kb¨v .2905 GKi f~wg cÖvß nq| Z`fv‡e GB weev`xi c~e©eZx© kãi Luv .5810 GKi f~wg cÖvß nq Ges Gm.G. Rwic Avg‡j kãi Lvi bvg Gm.G. 152 LwZqv‡b mwVK I ï×fv‡e †iKW© nq Ges D³ kãi Luv Rxegv‡b weMZ 24/11/1975Bs Zvwi‡Li `wjj g~‡j .03 GKi f~wg n¯ÍvšÍi ev` eµx .5510 GKi f~wg‡Z gvwjK I `LjxKvi nq I \_v‡K| Z`fv‡e imyj Luvi Kb¨v gwjøKv LvZzb wcZvi Iqvwik m~‡Î bvwjkx LwZqv‡b .2905 GKi f~wg Zvnvi `yB m‡nv`i fvB‡K †gŠwLK f‡e `vb I `Lj Ac©Y Kwi‡j GB weev`xi c~e©eZx© kãi Luv gwjøKv LvZzb nB‡Z .1450 GKi f~wg cÖvß nq| cÖvK ewY©Z fv‡e kãi Luv (.5510 + .1450) = .6960 GKi f~wg‡Z gvwjK `LjxKvi nq I \_v‡K|
8. cÖvKewY©Zfv‡e kãi Luv bvwjkx wm.Gm. 164 LwZqv‡b .6960 GKi f~wg‡Z gvwjK `LjxKvi \_vwKqv 2 cyÎ nvwjg Luv I nvwmg Luv I 5 Kb¨v Iqvwik we`¨gv‡b g„Zz¨eiY Kwi‡j Zvnvi bvwjkx we.Gm. LwZqv‡b gvwjK nq I \_v‡K Ges weMZ we.Gm. Rwic Avg‡j kãi Luv Kb¨vMY ¯^vgxi evwo‡Z \_vKvq Zvnv‡`i bv‡g we.Gm. †iKW© nq bvB Ges cyÎ nvwmg Luv Zvnvi mgy`q m¤úwË Zvnvi eo fvB nvwjg Luvi wbKU n¯ÍvšÍi Kivq Ges kãi Luv mgy`q m¤úwË GB weev`x c~e©eZx© nvwjg Luv kvmb msiÿ‡Y \_vKvq kãi Lvi mgy`q .6960 GKi f~wg Zvnvi cyÎ nvwjg Luvi bv‡g †iKW© nq Ges Abyiƒcfv‡e bvwjkx Rgvi kixK nvQb Luv cyÎ †gvL‡Q` Luvb nB‡Z GB weev`x c~e©eZx© nvwjg Luv .18 GKi f~wg Lwi` K‡i Z`fv‡e nvwjg wbR Lwi` I fvB I †evb †`i mn .6960 + .18 = .8760 GKi f~wg‡Z gvwjK `LjxKvi \_vwKqv bvj f~wg‡Z dmj djvBqv, evox f~wg‡Z Ni †`vi D‡Ëvj‡b kvwšÍc~Y© †fvM `LjKvi Av‡Q| wKš‘ we.Gm. Rwic Avg‡j we.Gm. 528 LwZqv‡b nvwjg Lvi bv‡g wnm¨v .245 As‡k 1.0731 †iKW© nq| Aewkó (1.0731 - .8760) = .1971 GKi f~wg AskwZwi³ f~wg wnmv‡e GB weev`xi c~e©eZx©i bv‡g †iKW© Av‡Q| Z` Ae¯’vq ¯^v\_© mswkøó e¨w³MY GB weev`xi c~e©eZx©i wnm¨v nB‡Z .1971 GKi f~wg KZ©b Kwiqv wb‡Z cv‡i|
9. ev`xcÿ bvwjkx we.Gm. LwZqv‡b Zvnv‡`i bv‡g †iKW© K…Z f~wg ev` bv w`qvB AskwZwi³ f~wg ev` bv w`qvB AskvwZwi³ f~wg `vex Kwiqv‡Q Ges 2/3bs ev`xi `vexK…Z f~wg GB weev`x n‡Z Lwi` bv \_vKv ¯^‡Z¡I GB weev`x n‡Z m¤úwË `vex Kivi †Kvb AvBbMZ AwaKvi bvB|
10. ev` eµx evPwbKfv‡e wb‡ew`Z nB‡e|

AZGe, cÖv\_©bv ewY©Z Ae¯’v I KviYvax‡b ev`x c‡ÿi AÎ †gvKÏgv ÿwZ LiP mn Lvwi‡Ri Av‡`k `v‡b mywePvi Kwi‡Z ûRy‡ii m`q gwR© nq| BwZ Zvs-

mZ¨cvV

AÎ wjwLZ eY©bvi hr hveZxq weeib Avgvi Ávb I wek¦vmg‡Z mZ¨| AÎ mZ¨Zvq wbR bvg `¯ÍLZ Kwijvg|