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

‡gvt bs- 774/2017Bs

j¨vÛ mv‡f©

‡gvmvt kvnvbv BqvQwgb Ms ...............ev`x|

ebvg

‡gvt †Lvi‡k` Avjg Ms .............weev`x|

1bs weev`xc‡ÿ wjwLZ Reve,

1. ev`xc‡ÿ †gvKÏgvq mwVK †R‡bvjwR bv \_vKvq AÎ †gvKÏgv AiÿYxq e‡U|
2. ev`xi †gvKÏgvi †Kvb Cause of action bvB|
3. ev`xc‡ÿi †gvKÏgv Zvgvw` †`v‡l evwiZ e‡U|
4. ev`xcÿ h\_vmg‡q 30/31 avivi cÖwZKvi cÖv\_x© bv nIqvq AÎ †gvKÏgv AiÿYxq e‡U|
5. ev`xc‡ÿ †gvKÏgv By the principle of estopple, waiver and acquiescence Gi Kvi‡Y LvwiR nB‡e|
6. GB weev`xcÿ AviRxi ¯^xK…Z welq e¨ZxZ AiwRi hr hveZxq weeiY `„pZvi mwnZ A¯^xKvi K‡i|
7. cÖK…Z welq GB †h, mv‡eK †Rjv Kzwgjøv nv‡j ‡Rjv Puv`cyi Dc‡Rjv gZje Aaxb wm.Gm. 19bs LwZqvbfz³ mv‡eK 453 `v‡M g~j gvwjK

Pjgvb cvZv- 02

Kgi DwÏb gvwjK `LjxKvi \_vKv Ae¯’vq g~j gvwjK Kgi DwÏb Gi cyÎ g„Z Kwdj DwÏ‡bi Iqvwik cyÎ emyevM I Kvw`i evM kixKvb‡`i mv‡\_ Av‡cvl e›U‡b mv‡eK 453 `v‡M †gvt .45 GKi f~wg weMZ 01/03/1956Bs Zvwi‡Li gZje Gm.Avi. Awd‡mi 3235bs `wjj g~‡j ev`xM‡Yi c~e©eZx©i wbKU weµq Kwiqv `Lj Ac©Y Kwi‡j GB ev`xM‡Yi c~e©eZx© Kz`iZ Avjx I †ejvZ Avjx gvwjK `LjxKvi nq I \_v‡K| AZtci GB ev`xM‡Yi c~e©eZx© weMZ 1/11/1962Bs Zvwi‡Li 5224bs `wjj g~‡j gwdR DwÏ‡bi cyÎ Avt Kwig nB‡Z gZje Gm.Avi. Awd‡mi 5224bs `wj‡j .2250 GKi f~wg Lwi` Kwiqv gvwjK `LjxKvi nq| Zrci ev`xM‡Yi c~e©eZx© `yB wKËv `wjj g~‡j .6750 GKi f~wg‡Z gvwjK `LjxKvi \_vKv Ae¯’vq Zvnv‡`i bv‡g Avi.Gm. 8bs LwZqvb mwVK I ï×fv‡e cÖPvwiZ nq| Zrci ev`xM‡Yi c~e©eZx© Kz`iZ Avjx kixKvb‡`i mv‡\_ Av‡cv‡l weMZ 25/05/79Bs Zvwi‡L 5658bs QvdKejv `wjj g~‡j bvwjkx mv‡eK 453 `v‡M †gvt .45 GKi f~wg GB weev`xi wcZv Avt nK †gvjøvi wbKU `Lj n¯ÍvšÍi weµq Kwi‡j Avt nK †gvjøv Dnv‡Z gvwjK `LjKvi nq| Zrci GB DËiKvix weev`xi wcZv Avt nK †gvjøv weMZ 21/08/75Bs Zvwi‡L

Pjgvb cvZv- 03

†iwRtK…Z 6491bs QveKejv `wjj g~‡j bvwjkx mv‡eK 453 `v‡M †gvt .2250 GKi f~wg ev`xM‡Yi c~e©eZx© wcZv Kz`iZ Avjxi wbK‡U `Lj n¯ÍvšÍi K‡i weµq Kwi‡j Dnv‡Z Kz`iZ Avjx gvwjK `LjxKvi nq I \_v‡K| AZtci 1bs weev`xi wcZv Avt nK bvwjkx 453 `v‡M Zvnvi Lwi`v .45 GKi f~wgi A›`‡i .2250 GKi f~wg weµq ev` eµx .2250 GKi f~wg‡Z gvwjK \_vwKqv 1bs weev`x‡K GKgvÎ Iqvwik gv‡b g„Z¨eib Kwi‡j 1bs weev`x 453 `v‡M wcZvi Avgj n‡Z bvwjkx 453 `v‡M †gvt .2250 GKi bvwjkx f~wgi wewfbœ ‡gŠmygx dmj djvBqv Dnv‡Z gvwjK `LjKvi nq| Zrci 1bs weev`x Zvnvi gvwjKxq `Ljxq 453 `v‡Mi Zvnvi wcZv KZ…©K wewµZ .2250 GKi f~wg jvMjcZ nIqvq Ges cÖ‡qvRbxq f~wg nIqvq ev`xMb n‡Z weMZ 2/10/37Bs Zvwi‡Li ‡iwRtK…Z 3860bs `wjjg~‡j mv‡eK 453 `v‡Mi †gvt .2250 GKi f~wg Lwi` Kwiqv Dnv‡Z gvwjK `LjKvi nq I \_v‡K| Z`fv‡e GB welq bvwjkx mv‡eK 453`v‡M wcZv nB‡Z .2250GKi Lwi` Lwi` m~‡Î .2250GKi GKz‡b .45 GKi f~wg GKB mvwg‡j GKB eø‡K Avwbqv Dnv‡Z wewfbœ ‡gŠmygx dmj djvBqv Dnv‡Z gvwjK `LjKvi nq I \_v‡K|

Pjgvb cvZv- 04

1. bvwjkx mv‡eK 453 `v‡M †gvt .45 GKi f~wg GB weev`xi GKK gvwjKxq `Ljxq f~wg D³ mv‡eK 453 `v‡M †gvt .45 GKi f~wg‡Z ev`xc‡ÿi †Kvb ¯^Z¡ ¯^v\_© I `Lj bvB| ev`x cÿ B”QvK…Zfv‡e Ges Rvbv g‡Z Ges GB weev`x Abv‡nZz nqvivYx I LiPvšÍ Kivi Kz-gZj‡e Zvnvi wcZv KZ…©K weMZ 25/05/75Bs Zvwi‡Li `wj‡j wewµK…Z Zvi f~wg Rvbv ¯^‡Z¡I †gvKÏgvi AvwR©‡Z .2250 f~wgi wjwc Kwiqv‡Q| e¯‘Z c‡ÿ ev`xM‡bi c~eeZ©x bvwjkx mv‡eK 453 `v‡M GB weev`xi c~eeZ©x wcZvi wbKU .45 GKi f~wg wewµ Kwiqv‡Q| Z` Ae¯’vq GB weev`x wcZvi bvgxq we.Gm. 146 LwZqv‡bi mv‡eK 453 nvj we.Gm. 96 `v‡M mg¨K .45 GKi f~wg mwVK I ï×fv‡e †iKW© n‡q‡Q Ges GB weev`x nB‡Z †Kvb f~wg cvIbv bvB Ges ev`xcÿ cÖv\_©xZ g‡Z ‡Kvb cÖwZKvi cvB‡e bv|

AZGe ewY©Z Ae¯’v I Kvibvax‡b ev`xc‡ÿi AÎ †gvKÏgvi ÿwZ LiP mn Lvwi‡Ri Av‡`k w`qv my-wePvi Kwi‡Z ûRyi Av`vj‡Zi m`i gwR© nq| BwZ Zvs-

mZ¨cvV

AÎ wjwLZ eY©bvi hveZxq weeiY Avgvi Ávb I wek¦vmg‡Z mZ¨| AÎ mZ¨Zvq wb‡¤œ wbR bvg ¯^vÿi Kwijvg|