‡gvKvg weÁ wmwbqi mnKvix RR nvRxMÄ, Av`vjZ|

‡gvt bs- 99/2017Bs

‡`t ¯^Z¡

‡gvt ev”Pz wgqv Ms --------ev`x|

ebvg

‡gvmvt †gvn‡Qbv †eMg -------weev`x|

1-5bs weev`xc‡ÿ wjwLZ Reve,

1. ev`xcÿ mwVK gvwjK D‡jøL bv Kivq Ges bvwjkx f~wg‡Z ev`x c‡ÿ ¯^Z¡ ¯^v\_© `Lj bv \_vKvq AÎ †gvKÏgv AiÿYxq e‡U|
2. ev`xc‡ÿi AÎ †gvKÏgvi By the principle of estoppel waiver and acquiescence Gi Kvi‡Y AiÿYxq e‡U|
3. eZ©gvb AvKv‡i cÖKv‡i AÎ †gvKÏgv AiÿYxq e‡U|
4. AÎ †gvKÏgv Gm.Avi. G¨v± Gi 42 aviv g‡Z AÎ †gvKÏgv AiÿYxq e‡U Ges Zvgvw` †`v‡l evwiZ e‡U|
5. ev`xcÿ BwZc~‡e© nvRxMÄ mnKvix RR Av`vj‡Z 65/2007Bs †gvKÏgvq wb¤œ Av`vj‡Z civwRZ nBqv Zrci D³ ‡gvKÏgvq bvwjkx f~wg m¤ú‡K© gnvgvb¨ nvB‡Kv‡U© w`K wb‡`©kbv †gvZv‡eK eZ©gv‡b †gvKÏgvwU weÁ †Rjv RR evnv`yi Av`vj‡Z Pjgvb Av‡Q|
6. bvwjkx f~wg‡Z ev`xc‡ÿi we›`ygvÎ ¯^Z¡ `Lj bv \_vKvq ev`xi †gvKÏgv LvwiR †hvM¨|
7. bvwjkx f~wg‡Z ev`xc‡ÿi ¯^Z¡ `Lj bv \_vKvq Zr Kvi‡Y weev`xcÿ ev`xcÿ‡K KLbI agKv agKx K‡i bvB wKsev agKv agKxi ‡Kvb KviY wQj bv|
8. ev`xc‡ÿi cÖv\_x©Z wel‡q GW‡fv‡jivg †KvU© wd bv †`Iqv ev`xi †gvKÏgv LvwiR †hvM¨|
9. ev`xi AvwR©i ¯^xK…Z welq e¨ZxZ ev` eµx GB weev`xcÿ `„pZvi mwnZ A¯^xKvi K‡i|
10. ‡Rjv mv‡eK wÎcyiv cieZx©‡Z Kzwgjøv nvj Puv`cyi Dc‡Rjv nvRxMÄ Aaxb 152bs evwbqv‡Pv †gŠRvi mv‡eK 43bs LwZqvbfz³ †gvt 1.20 GKi f~wg‡Z Dci¯’ Rwg`vi I gvwjK wQ‡jb weev`xi c~e©eZx© Beªvwng gRyg`vi Ges Dci¯’ Rwg`vi Beªvwng gRyg`vi mg¨K 1.20 GKi f~wg Igi Avjx‡K AbygwZ cÖ`vb Kwi‡j D³ Igi Avjx Dnv mvgwqK fv‡e `Lj \_vKvi Kvi‡Y wm.Gm. 43bs LwZqv‡bi `L‡ji Kjv‡g ågvZ¥Kfv‡e Igi Avjxi bvg wjwc nq| e¯‘Z c‡ÿ D³ f~wg Igi Avjx‡K n¯ÍvšÍi K‡i bvB Ges Beªvwng gRyg`v‡ii g„Zz¨‡Z ZØxq cyÎ †gvnv¤§` †nv‡mb gRyg`vi bvwjkx f~wg‡Z GKK gvwjK `LjxKvi nq I \_v‡K| Zrci weev`xi c~e©eZx© †gvnv¤§` †nv‡mb gRyg`vi bvwjkx f~wg I Acivci f~wg †iKW© nIqvi Rb¨ Kzwgjøv †m‡Uj‡g›U Awdmvi eive‡i wgQ †KBQ bs- 34/60, 65/60, 63/60 Under Section 50 `v‡qi K‡ib| Zrci D³ †gvKÏgv¸wj wi‡R± nB‡j ewY©Z †gvnv¤§` †nv‡mb gyRg`vi wgm †gvKÏgv 275/61 Under Section 50 `v‡qi Kwi‡j Zr m¤ú‡K© N Chandra R.O weMZ 15/11/61Bs Zvwi‡L cÖwZ‡e`b `vwLj Kwi‡j †m‡Uj‡g›U Awdmvi N. Ahmed weMZ 29/11/1961Bs Zvwi‡L Dnv Approved K‡ib| ewY©Z cÖwZ‡e`b Ges Av‡`‡ki Av‡jv‡K bvwjkx I ‡ebvwjkx f~wg †iKW© nIqvi Av‡`k nq| ewb©Z cÖwZ‡e`b Ges Approval Gi gg© g‡Z bvwjkx `v‡Mi f~wg weev`xc‡ÿi bvgxq LwZqv‡b †iK‡W©i Av‡`k nq| cieZx©‡Z D³ Av‡`‡ki weiæ‡× ev`xc‡ÿi c~e©eZx© Avt ingvb Ms Kzwgjøv 3q mve RR Av`vj‡Z †¯úkvj Avcxj b¤^i- 24/62 `v‡qi Kwi‡j Zvnv 17/07/1962Bs Zvwi‡L †`vZidv LvwiR nq| Zrci ev`xc‡ÿi c~e©eZx© weMZ 19/07/1962Bs Zvwi‡Li LvwiRv‡`k Gi Am¤§wZ‡Z In the court of special at Comilla reference case no. 1/62 `v‡qi Kwi‡j †`vZidv ïbvbxA‡šÍ bv gÄyi nq| cÖvK ewb©Z g‡Z weev`xc‡ÿi c~e©eZx© KZ…©K cÖvK ewY©Z wgQ †KBQ b¤^i- 275/61 Gi Abye‡j weev`xc‡ÿi c~e©eZx©i bv‡g bvwjkx `v‡Mi f~wg Gm.G. 21bs LwZqvb †iKW© nq Ges ZrcieZx©‡Z weev`xc‡ÿi bvgxq wW.wc. LwZqvb 136 †gvt .74 GKi f~wg †iKW© nq| e¯‘Z c‡ÿ cÖvK ewY©Z †gvKÏgv mg~‡ni Abye‡j Av‡cv‡l ev`x my›`i Avjxi cyÎ evejy Ms †K 271 `v‡M .20 GKi f~wg †`Iqv nq| D³ f~wg‡Z AbygwZ m~‡Î my›`i Avjx Ms †fvM `L‡j Av‡Q| Zrci weev`xi c~e©eZx© wcZv weev`x‡K Iqvwik we`¨gv‡b gviv †M‡j weev`x GKKfv‡e Dnv‡Z gvwjK `LjxKvi nq I \_v‡K| weev`xcÿ bvwjkx wb¤œ ZcwQj ewY©Z f~wg mn Acivci ‡ebvwjkx f~wg 12 erm‡ii D×©Kvj ch©šÍ c~e©eZx© Avgj nB‡Z A‡b¨i wbivs‡k wbivcwË‡Z me© mvavi‡Yi Ávb †MvPi g‡Z miRwg‡b †fvM `LjKvi wbhy³ nq I Av‡Q|
11. ev`xc‡ÿi c~e©eZx© KLbI bvwjkx LwZqv‡bi bvwjkx `v‡M gvwjK I `LjxKvi wQj bv| wKš‘ ågvZ¥Kfv‡e ev`xc‡ÿi c~e©eZx© Igi Avjxi IqvwikM‡Yi bv‡g Gm.G. 34bs LwZqv‡b bvg AšÍ©fzw³ nB‡jI Vide Case no- 275 U/S 49 Ges Appeal Case no- 24/1962 Gi Abye‡j ev`xc‡ÿi c~e©eZx©c‡ÿi c~e©eZx©‡`i bvg Gm.G. LwZqvb nB‡Z KZ©b nBqv hvq| ev`xc‡ÿi c~e©eZx© KLbI bvwjkx f~wg‡Z †Kvb gvwjKZv `Lj wQj bv| ev`xMY m¤ú~Y©iƒ‡c wbt¯^Z¡evb| ev`xMY `‡j e‡j ewjqvb jvwVqvj †kÖYxi †jvK nq| ev`xMY weev`xc‡ÿi gvwjKxq `Ljxq wb¤œ ZcwQj ewY©Z f~wg †hb †Zb fv‡e n¯ÍMZ Kivi †Rv‡i ReŸ‡i `Lj Kivi Ges weev`x‡K †e`Lj Kivi Ges bvwjkx f~wg‡Z weev`xi m„wRZ dmjv`x KvwUqv †bIqvi Rb¨ Mfxi loh‡š¿ wjß nBqv‡Q Ges weMZ 07/03/2007Bs Zvwi‡L †fvi Abygvb 5.30 NwUKv nB‡Z mKvj 9.30 NwUKv ch©šÍ bvwjkx m¤úwË nB‡Z †eAvBbx f‡e Avav cvKv Mg KvwUqv †bIqvi Kvi‡Y weev`x Zvnv‡`i weiæ‡× wR.Avi. 111/07Bs †gvKÏgv `v‡qi K‡i hvnv eZ©gv‡b PwjZve¯’vq Av‡Q| bvwjkx f~wg m¤ú‡K© weÁ nvRxMÄ mnKvix RR Av`vj‡Z ¯’vqx wb‡lavÁvi cÖv\_©bv †`t 65/2007 †gvKÏgv weev`xcÿ `v‡qi Kwi‡j cieZx©‡Z 22/07/2010Bs Zvwi‡L ev`xc‡ÿi weiæ‡× ivq Ges weMZ 27/07/2010Bs Zvwi‡L wWwµ cÖPvwiZ nq| D³ iv‡qi Am¤§Zx‡Z ev`xcÿ gvbbxq ‡Rjv RR Av`vjZ 110/2010Bs †`t Avt `v‡qi Kwi‡j D³ †gvKÏgv ¯’vbvšÍwiZ nBqv hyM¥ †Rjv RR 1g Av`vj‡Z weMZ 22/07/2012Bs Zvwi‡Li wb¤œ Av`vj‡Zi ivq I wWwµ i` I iwnZ µ‡g Avcxi gÄyi Kwi‡j D³ iv‡qi Am¤§wZ‡Z ev`xcÿ gnvgvb¨ nvB‡Kv‡U© wmwfj wiwfkb `v‡qi Kwi‡j gnvgvb¨ 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‡b we.Gm. 304 `v‡Mi f~wg mv‡eK we.Gm. I Gm.G. 271 `v‡Mi f~wg‡Z AvK…ó K‡i wKbv Zvnv wbwðZ nIqvi Rb¨ GK w`K wb‡`©kbv cÖ`vb K‡i| D³ Av‡`k Gi gg© g‡Z weev`xcÿ weMZ 15/01/2017Bs Zvwi‡L †`t Kvt AvB‡bi 26 AW©vi 9 iæ‡ji weavb g‡Z Local Investigation Gi cÖv\_©bv Kwi‡j weÁ Kwgkbv mv‡ne nvB‡Kv‡U©i w`K wb‡`©kbv †gvZv‡eK bvwjkx wm.Gm. I we.Gm. g¨vc fvIivBqv miRwg‡b cwigvc µ‡g mwVK cÖwZ‡e`b `vwLj K‡i Zrci D³ cÖwZ‡e`b Gi weiæ‡× †Kvb AvcwË Av‡Q wKbv nvRxMÄ weÁ Av`vjZ wb‡`©k cÖ`vb Kwi‡j GB ev`x cÿ †Kvb AvcwË `vwLj K‡i bvB| Zrci weÁ nvRxMÄ †KvU© ev`xcÿ KZ…©K †`t Kvt wewa AvB‡bi 39 AW©vi 7 iæ‡ji weavb g‡Z GK `iLv¯Í `vwLj K‡i| Zrci weÁ nvRxMÄ †KvU© ïbvbx A‡šÍ 2000 UvKv Kwgkb wd `vwLj Kivi k‡Z© D³ `iLv¯Í gÄyi Kwi‡j weÁ wb¤œ Av`vjZ D³ Av‡`k gÄyi Kwi‡j weÁ wb¤œ Av`vjZ D³ Av‡`k gnvgvb¨ nvB‡KvU© KZ…©K mywbw`©ó wb‡`©kbvi cwicwš’ weavq ev`xcÿ weÁ †Rjv RR evnv`yi Av`vj‡Z wmwfj wiwfkb 11/2018Bs †gvKÏgv `v‡qi K‡i| hvnv eZ©gv‡b Pjgvb Av‡Q| D³ welq m¤ú‡K© ev`xcÿ Rvwbqv ïwbqv †Mvcb Kwiqv weÁ nvRxMÄ Av`vj‡Zi 65/2007Bs †gvKÏgv m¤ú‡K© †Kvbiƒc e³e¨ bv \_vKvq ev`xi †gvKÏgv LvwiR †hvM¨| AwawKš‘ weev`x KZ…©K `v‡qi K…Z 65/2017Bs ‡gvKÏgvi bvwjkx f~wg GKB bvwjkx f~wg e‡U Ges D³ bvwjkx f~wg ev`xc‡ÿi ¯^‡Z¡ Kvwjgv iwnqv‡Q Ges Dfq c‡ÿi ga¨Kvi we‡ivaxq welq weÁ nvRxMÄ mnKvix Av`j‡Z 65/2007Bs †gvKÏgv cÖwZKvi wbwnZ \_vKv ev`xi `vex †`veviv †`v‡l evwiZ e‡U| ev`xc‡ÿi cÖwZKvi †Nvi Zvgvw` †`v‡l evwiZ e‡U| Zb¥‡g© ev`x c‡ÿi `vex m¤ú~Y© AwPwýZ A¯úó e‡U Ges eZ©gvb nvj we.Gm. LwZqvb I GB weev`xi c~e©eZ©xi bv‡g iwnqv‡Q Ges bvwjkx f~wg m¤ú‡K© GB weev`xM‡Yi Rgv LvwiR mn LvRbvw` Av`vq mn hveZxq GB weev`x c‡ÿ iwnqv‡Q| nvRxMÄ Av`vj‡Z ÿwZ Kivi KzgZ‡je AÎ †gvKÏgv `v‡qi Kwiqv‡Q|
12. evPwbK wb‡ew`Z nB‡e|

AZGe, ewb©Z Ae¯’v I KviYvax‡b AÎ †nZzwenxb †gvKÏgv ÿwZ I LiP mn Lvwi‡Ri Av‡`k `v‡b ûRy‡ii gwR© nq| BwZ Zvs-

mZ¨cvV

AÎ Rev‡ei `iLv‡¯Íi hr hveZxq weeiY Avgvi Ávb I wek¦vm g‡Z mZ¨| AÎ mZ¨Zvq wb‡¤œ Avgvi wbR bvg ¯^vÿi Kwijvg|