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

**‡gvt bs- 1192/17Bs**

j¨vÛ mv‡f©

‡gvt Rvnv½xi wgqvRx Ms ...............ev`x|

ebvg

‡gvt iæûj Avwgb wgqvRx Ms ............weev`x|

1-7bs weev`xc‡ÿ wjwLZ Reve:-

1. ev`xcÿ AÎ †gvKÏgv `v‡qi Kivi †Kvb ˆea KivY wK AwaKvi bvB cv‡i bv|
2. eZ©gv‡b AvKv‡i I cÖKv‡i AÎ †gvKÏgv Pwj‡Z wK iÿv cvB‡Z cv‡i bv|
3. ev`xc‡ÿi AviwRi hveZxq weeiY wg\_¨v ev‡bvqvwU, ZÂKZvg~jK D‡Ï‡k¨ cÖ‡bvw`Z e‡U|
4. ev`xc‡ÿi AÎ †nZz wenxb wg\_¨v †gvKÏgv m‡iRwg‡bi wecixZ nIqvi GKQvi LvwiR‡hvM¨ e‡U|
5. ev`xc‡ÿi AÎ †gvKÏgvi ¯^xqKvh© I By the principle of estoppel, waiver and acquiescence AvPib RwbZ evavq I RwbZ †`v‡l AÎ †gvKÏgv APj I AiÿYxq e‡U|
6. ‡Rjv mv‡eK wÎcyiv Zr cieZx©‡Z Kzwgjøv nv‡j Puv`cyi \_vbv I mve-‡iwRw÷ª †gvKvg Puv`cy‡ii AšÍM©Z ¸wjkv †gŠRvi wm.Gm. 230bs LwZqv‡b 1& †gvt 6.58 GKi f~wg‡Z \. Avbv As‡k †gvt 3.29 GKi bweb P›`ª bw›` Ges \. Avbv As‡k †gvt 3.29 GKi f~wg‡Z wR‡Z›`ª P›`ª bw›` gvwjK `LjKvi \_vKv wK; D³ LwZqv‡bi †gvt 6.23 GKi f~wg‡Z Rgvi Acivci kixKM‡Yi mwnZ †`Iqvb Avjx wgwR I Rvgvj MvRx gvwjK `LjxKvi \_vKve¯’vq Aci kixKM‡Yi mwnZ Rvgvj MvRx I †`Iqvb Avjxi bv‡g Gm.G. 193bs LwZqvb cÖ¯‘Z I cÖKvwkZ nIqv wK; †`Iqvb Avjx wgwR I nvwee Dj¨vn wgwR bvwjkx Rgvi gvwjK \_vKve¯’vq jßvjwß we‡ePbvq Ges e¨env‡ii myweav‡\_© nvwee Dj¨vn wgwR Ms †K mg cwigvY m¤úwË Kzgyiæqv †gŠRv w`qv †`Iqv wK; ev`xM‡Yi c~e©eZx© †`Iqvb Avjx wgwR Ms ¸wjkv †gŠRvi bvwjkx LwZqv‡b wbqv †fvM `L‡j wbqZ \_vKv wK; Rvgvj MvRx Ms I ‡`Iqvb Avjx wgwR D³ iƒc gvwjK `LjxKvi \_vKve¯’vq kvnAvjg MvRx‡K Iqvwik we`¨gv‡b Rvgvj MvRx g„Zz¨eiY Kiv wK; †`‡jvqvi †nv‡mb Ms‡K Iqvwik we`¨gv‡b †`Iqvb Avjx wgwR g„Zz¨eiY Kwi‡j Rvgvj MvRxi Z¨vR¨ex‡Ë kvnAvjg MvRx gvwjK \_vKv wK; †`Iqvb Avjxi Z¨vR¨ex‡Ë †`‡jvqvi †nv‡mb wgwR Ms gvwjK `LjKvi nIqv wK; weMZ 12/06/13Bs Zvwi‡L Puv`cyi m`i mve‡iwRw÷ª Awd‡m †iwRtK…Z 5563bs mvdKejv `wjj g~‡j mv‡eK 609 nvj 1454 `v‡Mi Av›`‡i †gvt .12 GKi f~wg kvnAvjg MvRx I †`‡jvqvi †nv‡mb wgwR Ms nB‡Z ev`xMY Lwi` Kwiqv Lwi`v f~wg †fvM `L‡j wbqZ \_vKv wK; bvwjkx m¤úwË †Wvev f~wg nIqv wK; grm¨ Pvl µ‡g grm¨ aiv I LvIqv wK; bvwjkx f~wg Rjvkq wnmv‡e e¨envi Kwiqv A‡b¨i wbivs‡k I wbivcwË‡Z Exclusively †fvM `Lj Kiv wK; ev`xM‡Yi c~e©eZx© evqvMY cÖv‡Mv³iƒ‡c bvwjkx I †e-bvwjkx m¤úwË‡Z gvwjK `LjKvi \_vKve¯’vq we.Gm. Kg©Pvix Kg©KZ©vMY ågvZ¥K Z‡\_¨i wfwË‡Z bvwjkx mv‡eK 609 `v‡Mi nvj 1454 `v‡Mi †gvt .12 GKi g‡a¨ †gvt .03 GKi f~wg ev`xM‡Yi evqv kvnAvjg MvRx Ms‡`i bv‡g P~ovšÍ we.Gm. 223 LwZqv‡b †iKW©fz³ Kwiqv‡Q wK; eµx †gvt .09 GKi f~wg m¤ú‡K© 1-7bs weev`xM‡Yi c~e©eZx© nvwee Dj¨vn wgwRi bv‡g we.Gm. P~ovšÍ 1411bs LwZqvb †iKW©fz³ Kwiqv‡Q ewjqv m¤ú~Y© fzj I ågvZ¥K nIqv wK; 1-7bs weev`xM‡Yi c~e©eZx© nvwee Dj¨vn wgwRi gvwjKxq `Ljxq †Kvgiæqv †gŠRvi f~wg †ePv-wewµi ci ev` eµx f~wg wel‡q Zvnvi bv‡g Kzgyiæqv †gŠRvi we.Gm. P~ovšÍ 444bs LwZqv‡b †iKW©fz³ nIqv ¯^‡Z¡I we.Gm. Kg©PvixMY‡K fzj eySvBqv ev`xM‡Yi evqvM‡Yi gvwjKx `Ljxq †gvt .09 GKi f~wg wel‡q 1-7bs weev`xM‡Yi c~e©eZx© nvwee Dj¨vn wgwRi bv‡g P~ovšÍ we.Gm. 1411bs LwZqv‡b ågvZ¥K wnm¨vq †e-AvBbxfv‡e †iKW©fz³ KivBqv‡Q wK; ÔKÕ Zdwm‡jv³ bvwjkx we.Gm. P~ovšÍ 1411bs LwZqv‡bi nvj 1454 `v‡Mi †gvt .15 GKi nB‡Z †gvt .09 GKi f~wg KZ©b Kiv wK; ev`xM‡Yi bv‡g GK Avjv`v ms‡kvwaZ we.Gm. LwZqvb nIqv wK; AvBb I BKzBwU g‡Z ev`xMY Z`ªæc DcKvi I cÖwZKvi cvB‡Z ¯^Z¡evb `vex Kiv wK; ev`xMY weMZ 11/06/17Bs Zvwi‡L mB‡gvniK…Z bKj cÖvß nIqv wK; ev`xc‡ÿi AbyK~‡j wWµx nIqv wK; ev`xM‡Yi bv‡g GKK Avjv`v ms‡kvwaZ we.Gm. LwZqv‡bi m„Rb nIqv wK BZ¨vw` hrhveZxq weeiY ev‡bvqvU, ZÂKZvg~jK I †hvMmvRwmK g‡g© GB DËiKvix weev`xMY A¯^xKvi K‡i|
7. cÖK…Z K\_v GB:-

(K) bvwjkx wm.Gm. 230, Gm.G. 193bs LwZqvb f~wg‡Z wnm¨v \.As‡k bexb P›`ª b›`x I wns \. Avbv As‡k wR‡Z›`ª P›`ª b›`x gvwjK `LjxKvi nq I \_v‡K| ewb©Zfv‡e gvwjK `LjxKvi \_vKve¯’vq D³ bexb P›`ª b›`x I wR‡Z›`ª P›`ª b›`x nB‡Z †gŠwLK e‡›`ve¯Í g~‡j Rvdi Avjx MvRx, wcZv- g„Z †Mvjvg Avjx MvRx mv‡eK 574 `v‡M †gvt .27 GKi 575 `v‡M .70 GKi, 609 `v‡M .35 GKi GKz‡b 1.32 GKi f~wg cÖvß nBqv Dnv‡Z gvwjK `LjxKvi nq I \_v‡K| Bnv QvovI D³ Rvdi Avjx MvRx ‡ebvwjkx 235bs LwZqvbfz³ 571 `v‡M .25 GKi, 572 `v‡M †gvt .27 GKi, 573 `v‡M †gvt .16 GKi GKz‡b †gvt .68 GKi f~wg ewY©Z fv‡e †gŠwLK e‡›`ve¯Í g~‡j D³ Rvdi Avjx gvwjK `LjxKvi nq I \_v‡K| Z`ve¯’vq D³ Rvdi Avjx MvRx GKz‡b †gvt (1.32 + .68) = 2.00 GKi f~wg‡Z ewY©Zfv‡e e‡›`ve¯Í g~‡j gvwjK `LjxKvi nq I \_v‡K| ewY©Zfv‡e Rvdi Avjx MvRx gvwjK `LjxKvi \_vKve¯’vq 12/03/1953Bs Zvwi‡L 5307bs QvdKejv `wjj g~‡j D³ Rvdi Avjx MvRx, Avwe` wgqv I nvwee Dj¨v wgqvi wbKU D‡jøwLZ `vM mg~‡ni f~wg Av›`‡i †gvt 2.00 GKi f~wg weµq Kwiqv `Lj Ac©Y Kwiqv w`‡j D³ Avwe` wgqv I nvwee Dj¨v wgqv Dnv‡Z gvwjK `LjKvi nq I \_v‡K| weMZ Gm.G. Rixc PjvKv‡j D³ nvwee Dj¨v I Avwe` wgqvi bv‡g Gm.G. 193bs LwZqvb ï×iƒ‡c cÖKvwkZ I cÖPvwiZ nq|

(L) bvwjkx 609 `v‡M †gvU f~wgi cwigvY †gvt .35 GKi nq| iv¯Ív eve` wKQz RvqMv ev` hvBqv nvwee Dj¨v wgqv †gvt .15 GKi f~wg cÖvß nq| weMZ evsjv‡`k †m‡Uj‡g›U Rixcvg‡j D³ mv‡eK 609 `v‡Mi †gvt .15 GKi f~wg m¤ú‡K© nvj we.Gm. 1454 `v‡M †ebvwjkx Acivci f~wg mn D³ nvwee Dj¨v wgwRi bv‡g we.Gm. 1411 bs LwZqv‡b †iKW©fz³ I cÖPvwiZ nq| D³ ‡iKW© cÖRv¯^Z¡ AvB‡bi 30 aviv I 31 aviv ch©šÍ envj I ejer \_v‡K| ewY©Zfv‡e nvwee Dj¨v wgwR bvwjkx 609 nvj 1454 `v‡M †gvt .15 GKi f~wg‡Z gvwjK nBqv I \_vwKqv wbR ¯^Z¡ I `Lj cÖPv‡i A‡b¨i ¯^Z¡ `Lj cÖPv‡i ev`x cÿ GjvKvi me© mvavi‡bi †`Lv g‡Z I Rvbvg‡Z ‡fvM`Lj Kwiqv Avwm‡Z \_v‡K I i‡n| D³ nvwee Dj¨v wgwR gvwjK `LjxKvi \_vwKqv 3 cyÎ, 4 Kb¨v AÎ weev`xMY‡K Iqvwik we`¨gv‡b ci‡jvK MgY Kwi‡j Zvnviv Zr Z¨vR¨ we‡Ë gvwjK `LjxKvi nq I Av‡Q|

(M) ev`xcÿ Zvnv‡`i AviwR‡Z †`Iqvb Avjx wgwR I nvwee Dj¨v wgwR GIqvR cwieZ©b Kwiqv wbqv nvwee Dj¨v wgwR †e-bvwjkx f~wg cÖvß nBqv‡Q g‡g© D‡jøL K‡i, hvnv m¤ú~Y© ågvZ¥K e‡U| †Kbbv nvexe Dj¨v wgwR Zvnvi gvwjKx `Ljxq †gvt .15 GKi fywg Kvnv‡iv mwnZ †Kvbiƒc GIqvR cwieZ©b K‡i bvB ev Z`ªæc KiviI †Kvb KviYI DcRvZ nq bvB| ev`xcÿ AÎ bs †K¬kKi †nZzwenxb wg\_¨v †gvKÏgv `v‡qi Kwiqv ivwLqv‡Q| hvnv LvwiR ‡hvM¨ e‡U|

1. AÎ eY©bvi ¯úó ¯^xK…Z welq e¨ZxZ ev`xc‡ÿi AviRx‡Z D‡jøwLZ Acivci mg¯Í K\_vB GB weev`xcÿ KZ…©K A¯^xKvh©¨ e‡U|

‡mg‡Z webxZ cÖv\_©bv, Dc‡iv³ Ae¯’v I KviYvax‡b ev`xc‡ÿi AÎ †nZzwenxb wg\_¨v †gvKÏgv wWmwgm nB‡e Ges GB weev`xMY ÿwZ I LiP cvB‡e| BwZ Zvs-

**mZ¨cvV**

AÎ Rev‡ei ewY©Z hveZxq weeiY Avgvi Ávb I wek¦vm g‡Z mZ¨| Avwg Bnvi †Kvb wKQz †MvcY Kwi bvB ev Dnvi †Kvb Ask wg\_¨v b‡n| AÎ mZ¨Zv ¯^xKv‡i A`¨ AÎ mZ¨ cv‡V wbR bvg ¯^vÿi Kwijvg|

¯^vÿit