‡gvKvg weÁ ‡Rjv RR evnv`yi Av`vjZ, Puv`cyi|

‡gvt bs- 128/2018Bs

‡`Iqvbx Avcxj

‡gvmvt Rq¸bv LvZzb -----------ev`xcÿ|

ebvg

‡gvt mwn` Djøv cvUIqvix Ms -----------weev`x|

‡`t Kvt wet AvB‡bi 39 Av‡`‡ki 01 iæ‡ji weavb g‡Z A¯’vqx wb‡lavÁvi cÖv\_©bv|

evw`bxi Av‡e`b GB:-

1. AÎ bs †gvKÏgv weÁ nvRxMÄ wmwbqi mnKvix RR Av`vjZ Puv`cy‡i †`s 90/2015Bs bs †gvKÏgv `v‡qi Kwiqv cwiPvjbv KivKvjxb weMZ 30/08/2018Bs Zvwi‡Li ivq I weMZ 09/09/2018Bs Zvwi‡Li ¯^vÿwiZ wWµx i` I iwn‡Zi cÖv\_©bvq `v‡qi Kwiqv cwiPvjbv Kwiqv Avwm‡Z‡Q| AÎ bs †gvKÏgvi 1/2bs weev`x †imcb‡W›Ucÿ bvwjkx ZcwQj ewY©Z f~wg m¤ú‡K© ¯^Z¡ `Ljnxb nIqv ¯^‡Z¡I †Rv‡i ReŸ‡i †e-AvBbxfv‡e Z\_vq cÖ‡ek Kwi‡e, `L‡ji Kvh©¨ Kwi‡e Ges bvwjkx f~wg‡Z Avav cvKv `vjvb wbg©vb Kwi‡e evav w`‡j Rxe‡b gvwiqv ‡kl Kwiqv †dwj‡e BZ¨vw` Dw³ Kwiqv weMZ 15/10/2018Bs Zvwi‡L evw`bx AvcxjKvix‡K Ges Zvnvi Avg‡gv³vi‡K fxlY agKv agwK I fqfxwZ cÖ`k©b K‡i| Zvnv‡`i ag‡Ki gg© g‡Z Kvh©¨ Kwiqv ‡dwj‡j wbixn evw`bx AvcxjKvixi ev Zvnvi Avg‡gv³v‡ii wKQzB Kivi \_vwK‡e bv| Z`ve¯’vq evw`bx AvcxjKvixi Ac~iYxq ÿwZ I Awb‡ói Kvib e‡U|
2. Dc‡Rjv nvRxM‡Äi AšÍ©MZ wKs 180bs ivRviMuvI †gŠRvi mv‡eK 407bs LwZqvbfz³ 16 Avbv †gvt 23.65 GKi f~wg‡Z wnm¨v 5 Avbv 6 MÐv 2 Kov 2 µvšÍ 6\// µvšÍ As‡k †gvnv¤§` ivRv cvUIqvix, wnm¨v 6\// µvšÍ As‡k Avnv¤§` ivRv cvUIqvix, wnm¨v 6\// µvšÍ As‡k †gvnv¤§` Kwei cvUIqvix gvwjK `LjKvi nq I \_v‡K| ewY©Z fv‡e gvwjK `LjKvi nBqv I \_vwKqv Zvnviv A‡b¨i wbivs‡k wbivcwË‡Z wbwe©ev‡` wbR ¯^Z¡ I `Lj cÖPv‡i A‡b¨i ¯^Z¡ I `Lj A¯^xKv‡i wbivs‡k wbivcwË‡Z †fvM `Lj Kwiqv Avwm‡Z \_v‡K I i‡n| weMZ Gm.G. Rwic PjvKvjxb mg‡q Gm.G. 589bs LwZqv‡b D³ f~wg kixKM‡Yi bv‡g †iKW©fz³ I cÖPvwiZ nq| D³ LwZqvbfz³ f~wgi wnm¨v|/6\// µvšÍ As‡ki gvwjK Kwei cvUIqvixi †Ri Iqvwik AvQg‡Zi‡bœQv gvwjK `LjKvi nq I \_v‡K| D³ AvQg‡Zi‡bœQv Av‡cvl e›Ub g‡Z mv‡eK 407bs LwZqvbfz³ 1373 I 1374 `v‡Mi f~wg cÖvß nq| ewb©Zfv‡e gvwjK `LjKvi \_vKve¯’vq D³ AvQg‡Zi‡bQv Z`xqv Kb¨v †gvmvt Zcy‡ii‡bœQv‡K 1373 I 1374 `v‡M (.0450 + .0450) = †gvt .09 GKi f~wg weMZ 18/12/1976Bs Zvwi‡L †iwRtK…Z 8923bs †nev wej GIqvR bvgv `wjj g~‡j †nev Kwiqv `Lj Ac©Y Kwiqv `wjj D³ Zcy‡ii‡bœQv D³ f~wg‡Z gvwjK `LjKvi nq I \_v‡K| Z`ve¯’vq D³ Zcy‡ii‡bœQv 1373 `v‡M †gvt .0450 GKi Ges 1374 `v‡M †gvt .0450 GKi GKz‡b †gvt .09 GKi f~wg wPwýZ g‡Z cÖvß nBqv A‡b¨i wbivs‡k wbivcwË‡Z wbwe©ev‡` wbR ¯^Z¡ I `Lj cÖPv‡i A‡b¨i ¯^Z¡ I `Lj A¯^xKv‡i Øv`k erm‡ii eû DaŸ©Kvj hver †fvM `Lj Kwiqv Avwm‡Z \_v‡K I i‡n|
3. bvwjkx LwZqv‡bi g~j gvwjK †gvnv¤§` Avjx cvUIqvixi †Ri Iqvwik wnmv‡e †MvjvcRvb wewe bvwjkx mv‡eK 407bs LwZqvbfz³ f~wg Av›`‡i 1374 `v‡Mi †gvt .11 GKi Ges †ebvwjkx Acivci `v‡Mi f~wg mn †gvt 1.18 GKi f~wg‡Z gvwjK `LjKvi nq I \_v‡K| ewY©Zfv‡e gvwjK `LjxKvi \_vKve¯’vq weMZ 12/08/1966Bs Zvwi‡L †iwRtK…Z 4497bs †nev wej GIqvRbvgv `wjj g~‡j ‡gvt mwn` Dj¨v cvUIqvix I Zvnvi gvZv nv‡dRv LvZzb‡K †gvt 1.09 GKi f~wg †nev Kwiqv `Lj Ac©Y Kwiqv w`‡j Zvnviv Zrm~‡Î gvwjK `LjKvi nq I \_v‡K| D³ nv‡dRv LvZzb gvwjK `LjKvi \_vwKqv mwn` Dj¨v cvUIqvix‡K GK cyÎ Iqvwik we`¨gv‡b ci‡jvK MgY Kwi‡j D³ mwn` Dj¨v cvUIqvix Zr Z¨vR¨ ex‡Ë gvwjK `LjKvi nq I \_v‡K| ewY©Z fv‡e mwn` Dj¨v cvUIqvix 1374 `v‡M †gvt .11 GKi f~wg‡Z Av‡cvl wPwýZ e›Ub g‡Z gvwjK `LjKvi nBqv I \_vwKqv A‡b¨i wbivs‡k wbivcwË‡Z wbwe©ev‡` ‡fvM `Lj Kwiqv Avwm‡Z \_v‡K I i‡n|
4. ewY©Z fv‡e mwn` Dj¨v cvUIqvix 12/08/1966Bs Zvwi‡L †iwRtK…Z †nev bvgv `wjj g~‡j Ges gvZ… Iqvwik m~‡Î 1374 `v‡M cÖvß f~wg Av›`‡i weµq I iv¯Ív eve` †gvt .0525 GKi f~wg ev` hvBqv eµx †gvt .11 GKi f~wg‡Z gvwjK `LjKvi nq I \_v‡K| Z`ve¯’vq mwn` Dj¨v cvUIqvixi ¯¿x Zdz‡ii‡bœQv Zvnvi gvZv AvQg‡Zb‡bQv nB‡Z weMZ 18/12/1976Bs Zvwi‡L †iwRtK…Z ‡nev bvgv `wjj g~‡j 1373 `v‡M †gvt .0450 GKi Ges 1374 `v‡M †gvt .0450 GKi GKz‡b †gvt .09 GKi f~wg‡Z gvwjK `LjKvi nq I \_v‡K| ewb©Zfv‡e gvwjK `LjKvi nBqv I \_vwKqv A‡b¨i wbivs‡k wbivcwË‡Z wbwe©ev‡` wbR ¯^Z¡ I `Lj cÖPv‡i A‡b¨i ¯^Z¡ I `Lj A¯^xKv‡i ixwZgZ LvRbv U¨v· BZ¨vw` Av`vq Kwiqv GjvKvi me©mvavi‡Yi Ávb †MvPi g‡Z I †`Lv g‡Z †fvM `Lj Kwiqv Avwm‡Z \_v‡K I i‡n| cÖKvk \_vKv Avek¨K †h, Zcy‡ii‡bœQv †nev g~‡j 1374 `v‡M †gvt .09 GKi f~wg cÖvß nq bvB| Zcy‡ii‡bœQv 1373 `v‡M †gvt .0450 GKi Ges 1374 `v‡M †gvt .0450 GKi GKz‡b †gvt .09 GKi f~wg cÖvß nBqv †fvM `Lj Kwiqv Avwm‡Z \_v‡K I i‡n|
5. ewY©Zfv‡e mwn` Dj¨v cvUvix 1374 `v‡M †gvt .11 GKi Z`xq ¯¿x Zcy‡ii‡bœQv 1373 `v‡M †gvt .0450 GKi Ges 1374 `v‡M †gvt .0450 GKi GKz‡b Zvnviv Df‡q †gvt .20 GKi f~wg‡Z gvwjK `LjKvi \_vwKqv D³ f~wg weµq Kivi cÖ¯Íve Kwi‡j evw`bx AvcxjKvwibx Zvnv ivwL‡Z ¯^xKvi I m¤§Z nq| Z`ve¯’vq weMZ 07/09/1991Bs Zvwi‡L nvRxMÄ Gm.Avi. Awd‡m †iwRtK…Z 6250bs mvdKejv `wjj g~‡j D³ f~wg Lwi` Kwiqv Dnv‡Z gvwjK `LjKvi nq I Av‡Q| cÖKvk \_vKv Avek¨K †h, evw`bx AvcxjKvwibx‡K 1373 `v‡M †gvt .0450 GKi Ges 1374 `v‡M †gvt .1550 GKi GKz‡b †gvt .20 GKi f~wg `yBwU L‡Û wbw`©ó †PŠûwÏ g‡a¨ `Lj n¯ÍvšÍi Kwiqv w`qv H f~wg nB‡Z we‡µZvMY wbt¯^Z¡evb nBqv hvq| ev`xwb AvcxjKvix Zr mgq nB‡ZB 1373 `v‡M †gvt .0450 GKi Ges 1374 `v‡M †gvt .1550 GKi GKz‡b †gvt .20 GKi f~wg‡Z `Lj cÖvß nBqv Z\_vq mvgwqK dmjv`x m„R‡b I iÿbv‡eÿb Kwiqv †fvM `Lj Kwiqv Avwm‡Z‡Q|
6. 1/2bs weev`x †imcb‡W›Ucÿ AwZkq `yó, `~`©všÍ ciavb †jvfx `v½v, nv½vgv wcÖq jvwVqvj cÖK…wZi †jvK e‡U| Zvnv‡`i `‡j eû Zvnv‡`i cÖK…wZi eû jvwVqvj I mš¿vmx †jvK iwnqv‡Q| 1/2bs weev`x †imcb‡W›Ucÿ I Zvnv‡`i `jxq mš¿vmx I gv¯Ívb †gvt AvjgMxi eKvDj, †gvt †gvZv‡je eKvDj, me© wcZv- g„Z byiæ eKvDj, †gvt AvDqye Avjx Lvb, wcZv- Avt iwk` Lvb, mvs- cwðg ivRviMuvI, †gvt kvnAvjg wgwR, †gvt Av‡bvqvi wgwR, wcZv- byiæ wgwR, mvs- Kie›` †jvK‡`i mn‡hvwMZvq bvwjkx ZcwQj ewY©Z f~wg‡Z †Rv‡i ReŸ‡i †eAvBbx fv‡e cÖ‡ek Kwi‡e Z\_vq `L‡ji Kvh©¨ Kwi‡e Ges `vjvb M„n D‡Ëvjb Kwi‡e, evav w`‡j evw`bx AvcxjKvix‡K I Zvnvi Avg‡gv³vi‡K Rxe‡b gvwiqv †kl Kwiqv †dwj‡e BZ¨vw` Dw³ Kwiqv Anin fqfxwZ I agKv agwK cÖ`k©b Kwi‡Z‡Q| Zvnv‡`i ag‡Ki g¤§© g‡Z Kvh©¨ Kwiqv †dwj‡j wbixn evw`bx AvcxjKvixi wKQzB Kivi \_vwK‡e bv| Z`ve¯’vq Zvnvi Ac~iYxq ÿwZi KviY Bn‡e|
7. bvwjkx f~wg m¤ú‡K© evw`bx AvcxjKvwibxi Good Prima facie right title and interest iwnqv‡Q| Balance of convenience & inconvenience evw`bx AvcxjKvwibxi AbyK~‡j Ges 1/2bs weev`x †imcb‡W›Uc‡ÿi cÖwZK~‡j e‡U|

‡mg‡Z webxZ cÖv\_©bv, Dc‡iv³ Ae¯’v I KviYvax‡b 1/2bs weev`x †imcb‡W›Ucÿ hvnv‡Z evw`bx AvcxjKvixi gvwjKx `Ljxq bvwjkx ZcwQj ewY©Z f~wg‡Z †Rv‡i ReŸ‡i †e-AvBbx fv‡e cÖ‡ek Kwi‡Z bv cv‡i ev Z\_vq `L‡ji Kvh©¨ Kwi‡Z bv cv‡i ev bvwjkx f~wg‡Z †Kvbiƒc cvKv `vjvb M„n D‡Ëvjb Kwi‡Z bv cv‡i ev evw`bx AvcxjKvixi kvwšÍc~Y© †fvM `L‡j †Kvbiƒc weNœ m„wó Kwi‡Z bv cv‡i Zb¥‡g© †`t Kvt wet AvB‡bi 39 Av‡`‡ki 01 iæ‡ji weavb g‡Z evw`bx AvcxjKvixi AbyK~‡j Ges 1/2bs weev`x †imcb‡W›Uc‡ÿi cÖwZK~‡j AÎ Avcxj †gvKÏgv wb®úwË bv nIqv ch©šÍ GK A¯’vqx wb‡lavÁvi Av‡`k `v‡b mywePvi Kwi‡Z gwR© nq| BwZ Zvs- 17/10/2018Bs

ZcwQj f~wg

‡Rjv Puv`cyi Dc‡Rjv nvRxM‡Äi AšÍ©MZ wKs 180bs ivRviMuvI †gŠRvi mv‡eK 407bs Gm.G. 589bs LwZqvbfz³:-

mv‡eK 1373 `vM nvj 3879 `v‡M †gvt .0450 GKi| hvnvi DË‡i- ev`xwb AvcxjKvix wbR, `wÿ‡b- iv¯Ív, c~‡e©- AvjgMxi eKvDj, cwð‡g- iv¯Ív|

mZ¨cvV

AÎ A¯’vqx wb‡lavÁvi `iLv‡¯Íi wjwLZ 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