‡gvKvg weÁ m`i wmwbqi mnKvix RR Av`vjZ, Puv`cyi|

‡gvt bs- 155/2017Bs

‡`s

‡gvt Ave`yi ingvb Ms ----------ev`x|

ebvg

Q‡jgv LvZzb Ms-----------------weev`xcÿ|

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

ev`x‡`i Av‡e`b GB:-

1. ev`xcÿ AÎ bs †gvKÏgv ¯’vqx wb‡lavÁvi wWµxi cÖv\_©bvq `v‡qi Kwiqv cwiPvjbv Kwiqv Avwm‡Z‡Q| AÎ bs †gvKÏgvi 3/4bs weev`xcÿ weÁ Av`vj‡Z mgb †bvwUk cÖvß nBqv weÁ Av`vj‡Z Avwmqv nvwRi nBqv Reve `vwL‡ji Rb¨ mg‡qi cÖv\_©bv K‡i| 3/4bs weev`xcÿ AÎ bs †gvKÏgv m¤ú‡K© Rvwb‡Z cvwiqv AwZkq D‡ËwRZ I wÿcÖfve aviY Kwiqv bvwjkx f~wg nB‡Z ev`x‡`i‡K †e`Lj Kwi‡e Z\_vq `L‡ji Kvh©¨ Kwi‡e, Ab¨Î n¯ÍvšÍi Kwi‡e Ges ev`x‡`i fvovwUqvMY‡K M„n Qvwoqv hvIqvi Rb¨ BZ¨vw` Dw³ Kwiqv weMZ 06/01/2018Bs Zvwi‡L fxlY agKv agwK Ges fqfxwZ cÖ`k©Y Kwiqv‡Q| Zvnv‡`i ag‡Ki gg© g‡Z Kvh©¨ Kwiqv †dwj‡j wbixn ev`x‡`i wKQzB Kivi \_vwK‡e bv| Z`ve¯’vq ev`x‡`i Ac~iYxq ÿwZ I Awb‡ói KviY e‡U|
2. AÎv`vjZ Dc‡Rjv Puv`cy‡ii AšÍM©Z wKs 89bs weòz`x †gŠRvi wm.Gm. 91bs LwZqvbfz³ †gvt 7.55 GKi f~wgi evwl©K LvRbv gs 15/- UvKv Rgvi f~wg‡Z GK wKËv ivqwZ ¯^‡Z¡ cuPvMvRx eiK›`vR gwjK `LjxKvi nBqv I \_vwKqv As‡b¨i wbivs‡k wbivcwË‡Z wbwe©ev‡` †fvM `Lj Kwiqv Avwm‡Z \_v‡K I i‡n| ewY©Zfv‡e cuPv MvRx eiKv›`vR gvwjK `LjxKvi \_vKve¯’vq AvgRv` Avjx †K 1 cyÎ Iqvwik we`¨gv‡b ci‡jvK MgY Kwi‡j D³ AvgRv` Avjx Zr Z¨vR¨exË m¤úwË‡Z gvwjK `LjxKvi nq I \_v‡K| cÖKvk \_vKv Avek¨K †h, D³ LwZqvbfz³ 598 `v‡M †gvt .42 GKi, 601 `v‡M †gvt .03 GKi f~wg‡Z Lwi` m~‡Î gvwjK `LjxKvi wQj| weMZ Gm.G. Rix‡c Acivci kixKM‡Yi bv‡gi mwnZ Zvnvi bv‡g Gm.G. 89bs LwZqv‡b ‡iKW© fz³ I cÖPvwiZ nq|
3. ewY©Zfv‡e AvgRv` Avjx eiK›`vR gvwjK `LjxKvi \_vKve¯’vq †fvM `Lj KivKvjxb mg‡q QwjgwÏb eiK›`vR, Avt Rwjj eiK›`vR I wQwÏKzi ingvb eiK›`vR‡K 3 cyÎ Iqvwik we`¨gv‡b ci‡jvK MgY Kwi‡j Zvnviv Zr Z¨vR¨ex‡Ë nvivnvwi As‡k gvwjK `LjxKvi nq I \_v‡K| Z`ve¯’vq Zvnviv wbR wbR cÖvß f~wg A‡b¨i wbivs‡k, wbivcwË‡Z, wbR ¯^Z¡ I `Lj cÖPv‡i GjvKvi me©mvavi‡Yi Ávb †MvPi g‡Z †fvM `Lj Kwiqv Avwm‡Z \_v‡K i‡n| bvwjkx 598 `v‡M ‡gvU f~wgi cwigvY 2.32 GKi nq| bvwjkx wm.Gm. 91bs LwZqv‡b D³ `v‡Mi wnt \. Avbv As‡k †gvt 1.16 GKi wjwce× nq| D³ 1.16 GKi f~wg‡ZB cPuvMvRx eiK›`vR bvwjkx 91bs LwZqv‡b gvwjK `LjxKvi nq I \_v‡K| D³ 1.16 GKi f~wg ewY©Z 598 `v‡M Zvnvi cyÎ AvgRv` Avjx Av‡cv‡l cÖvß nBqv cÖvKewY©Z g‡Z 3 cyÎ Iqvwik ivwLqv hvq| Z`ve¯’vq ewY©Z wQwÏK Avjx eiK›`vR .39 GKi f~wg bvwjkx 598 `v‡M Av‡cv‡l cÖvß nq Ges D³ f~wg mn †e-bvwjkx Acivci f~wg‡Z gvwjK `LjxKvi nq I \_v‡K| D³ QwÏK Avjx eiK›`vR LwiÏvi I Gm.G. †iK‡W©W U¨v‡b›U Kvwj †gvnb cvj nB‡Z weMZ 01/03/1961Bs Zvwi‡L †iwRtK…Z 2714bs QvdKejv `wjj g~‡j bvwjkx 598 `v‡M †gvt .42 GKi Ges 601 `vM iv¯Ív †gvt .03 GKi GKz‡b †gvt .45 GKi f~wg †Lvk Lwi` m~‡Î gvwjK `LjxKvi nq I \_v‡K| Z`ve¯’vq mv‡eK 598 `v‡M Iqvwik m~‡Î .39 GKi Ges Lwi` m~‡Î †gvt .42 GKi f~wg‡Z Ges bvwjkx LwZqvbfz³ Acivci †e-bvwjkx f~wg‡Z gvwjK `LjxKvi nq I \_v‡K| Z`ve¯’vq wmwÏK Avjx eiK›`vR bvwjkx 598 `v‡M †gvt .81 GKi f~wg mn †e-bvwjkx f~wg‡Z gvwjK `LjxKvi nBqv I \_vwKqv A‡b¨i wbivs‡k wbivcwË‡Z A‡b¨i ¯^Z¡ `Lj A¯^xKv‡i ixwZgZ LvRbv U¨v· BZ¨vw` Av`vq Kwiqv GjvKvi me© mvavi‡Yi Ávb †MvPi g‡Z †fvM `Lj Kwiqv Avwm‡Z \_v‡K I i‡n| ewY©Zfv‡e gvwjK `LjxKvi \_vKve¯’vq weMZ evsjv‡`k †m‡Uj‡g›U Rixcvg‡j we.Gm. 615bs LwZqv‡b †e-bvwjkx Acivci K‡ZK `v‡Mi f~wg mn †gvt .96 GKi f~wg m¤ú‡K© †iKW©fz³ I cÖPvwiZ nq| cÖKvk \_vKv Avek¨K †h, bvwjkx mv‡eK 598 `vM nvj we.Gm. 1551, 1552, 1553, 1554 `vM wnmv‡e †iKW©fz³ nq Ges †e-bvwjkx mv‡eK 602, 600, 599 `vM nvj 1543 I 1548 `vM wnmv‡e D³ LwZqv‡b †iKW©fz³ I cÖPvwiZ nq| Z`ve¯’vq D³ wmwÏK Avjx bvwjkx I †e-bvwjkx `v‡Mi f~wg‡Z gvwjK `LjKvi nBqv I \_vwKqv we.Gm †iKW©fz³ †U‡b›U wnmv‡e D³ f~wg †fvM `Lj Kwiqv Avwm‡Z \_v‡K I i‡n|
4. D³ wmwÏK Avjx eiK›`vR g„Zz¨Kv‡j Avt iwk` I Ave`yi ingvb‡K `yB cyÎ Ges Q‡jgv LvZzb, Qv‡jnv, Qv‡qiv LvZzb, mywdqv LvZzb, mvwdqv LvZzb †K 5 Kb¨v Ges iv‡eqv ‡eMg‡K 1 ¯¿x Iqvwik we`¨gv‡b ci‡jvK MgY Kwi‡j Zvnviv ZrZ¨vR¨ ex‡Ë nvivnvwi As‡k gvwjK `LjKvi nq I \_v‡K| Z`ve¯’vq wQwÏK Avjx eiK›`vR Gi cyÎ Kb¨vMY bvwjkx I ‡e-bvwjkx LwZqv‡bi `vM mg~‡ni f~wg m¤ú‡K© Av‡cvl idv wb®úwË nBqv wMqv wcZ… Z¨vR¨ mvKzj¨ f~wg m¤ú‡K© weMZ 29/04/1993Bs Zvwi‡L †iwRtK…Z 2145bs hy‡³ Zvnv‡`i cÖvß f~wg jvM jß I g~‡j¨i ZviZg¨ we‡ePbv Kwiqv GK e›Ubbvgv `wjj m¤úv`b I †iwRt Kvh©¨ mgvav Kwiqv †bq I †`q| Z`ve¯’vq K‡ZK kixK e›Ub bvgvi kZ© †gvZv‡eK Ges kZ©v`x ¯^xKvi Kwiqv Zvnv‡`i f~wg †fvM `Lj Kwiqv Avwm‡Z‡Q Avevi A‡b‡K weµq Kwiqv `Lj n¯ÍvšÍ‡i wbt¯^Z¡evb nBqv wMqv‡Q| 1bs weev`xi cyÎ 3bs weev`x Ges 2bs weev`xi cyÎ 4bs weev`x e‡U| 1bs weev`x D³ e›Ubbvgv `wj‡ji 4\_© cÿ e‡U| 2bs weev`xwb D³ e›Ub bvgv `wj‡ji 7g cÿ e‡U| Zvnviv D³ e›Ubbvgv `wjj mwVK I ï× ¯^xKv‡i ¯^qs Dcw¯’Z \_vwKqv Dnv m¤úv`b I †iwRt Kvh©¨ mvgvav Kwiqv †`q|
5. 3/4bs weev`xcÿ AwZkq PvjvK, PZzi I KyU cÖK…wZi †jvK e‡U| Zvnviv AwZkq `yó, `y`©všÍ, ciab †jvfx, `v½v-nv½vgv wcÖq, jvwVqvj I mš¿vmx cÖK…wZi †jvK e‡U| Zvnv‡`i `‡j Zvnv‡`i cÖK…wZi eû jvwVqvj I mš¿vmx †jvK iwnqv‡Q| Zvnviv Zvnv‡`i e›Ubbvgv g~‡j cÖvß f~wg Ab¨Î weµq Kwiqv `Lj n¯ÍvšÍ‡i wbt¯^Z¡evb nBqv wMqv‡Q| eZ©gv‡b 1/2bs weev`xi cyÎ 3/4bs weev`x‡`i ‡hvMv‡hv‡M \_vwKqv Zvnv‡`i `jxq mš¿vmx †jvK‡`i mwnZ Mfxi lohš¿ Kwiqv ev`x‡`i Av‡cvl e›Ubbvgv `wjj g~‡j cÖvß f~wg‡Z †Rv‡i ReŸ‡i †e-AvBbx fv‡e cÖ‡ek Kwi‡e, Z\_vq `L‡ji Kvh©¨ Kwiqv Zvnv Ab¨Î n¯ÍvšÍi m~PK `wjj Kwiqv w`‡e BZ¨vw` Dw³ Kwiqv Anin agKv agwK I fqfxwZ cÖ`k©b Kwi‡Z‡Q| D³ f~wg m¤ú‡K© weev`xcÿ m¤ú~Y© ¯^Z¡ `Ljnxb Z…Zxq e¨w³ e‡U| bvwjkx f~wg Zvnviv KLbI cÖvß nq bvB ev `Lj †fvM K‡i bvB ev K‡i bv| ev`xcÿ eûUvKv LiP Kwiqv bvwjkx f~wgi Dbœqb mvab Kwiqv eû g~j¨evb m¤úwË‡Z cwiYZ Kwiqv †fvM `Lj Kwiqv Avwm‡Z‡Q| weev`xcÿ ev`x‡`i gvwjKx `Ljxq f~wgi Dbœqb †`wLqv Ges ev`xMY‡K wbixn kvwšÍwcÖq, abRb ejnxb †jvK cvBqv bvwjkx f~wg †Rv‡i ReŸ‡i MÖvm Kivi KzgZj‡e wjß iwnqv‡Q| Zvnv‡`i ag‡Ki gg© g‡Z Kvh©¨ Kwiqv ‡dwj‡j wbixn ev`x‡`i wKQzB Kivi \_vwK‡e bv| Z`ve¯’vq ev`x‡`i Ac~ibxq ÿwZ I Awb‡ói KviY e‡U|
6. bvwjkx f~wg m¤ú‡K© ev`x‡`i Good Prima facie right title and interest iwnqv‡Q| Balance of convenience & inconvenience ev`x‡`i AbyK~‡j Ges 3/4bs weev`x‡`i cÖwZK~‡j e‡U|

‡mg‡Z webxZ cÖv\_©bv, Dc‡iv³ Ae¯’v I KviYvax‡b 3/4bs weev`xcÿ hvnv‡Z ev`x‡`i 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 Ab¨Î n¯ÍvšÍi m~PK `wjj m„Rb Kwi‡Z bv cv‡i ev ev`x‡`i fvovwUqvMY‡K weZvwiZ Kwi‡Z bv cv‡i ev ev`x‡`i kvwšÍc~Y© †fvM `L‡j †Kvbiƒc weNœ m„wó bv K‡i Zb¥‡g© ‡`t Kvt wet AvB‡bi 39 Av‡`‡ki 01 iæ‡ji weavb g‡Z ev`x‡`i AbyK~‡j Ges 3/4bs weev`x c‡ÿi cÖwZK~‡j GK A¯’vqx wb‡lavÁvi wWµx `v‡b mywePvi Kwi‡Z gwR© nq| BwZ Zvs- 11/01/2018Bs

**ZcwQj f~wg**

‡Rjv I Dc‡Rjv Puv`cy‡ii AšÍ©MZ wKs mv‡eK 89 nvj, 92bs weòz`x †gŠRvi wm.Gm. 91, Gm.G. 88, we.Gm. 615bs LwZqvbfz³ mv‡eK 598 nvj 1551, 1552, 1553 I 1554 `v‡M †gvt .48 GKi f~wg| hvnvi DË‡i- GRgvwj DVvb, `wÿ‡Y- gnwmb eiK›`vR, c~‡e©- Aveyj †nv‡mb Ms, cwð‡g- BDmyd g„av Ms|

mZ¨cvV

AÎ AvwR©i 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