**‡gvKvg gvbbxq †Rjv RR evnv`yi Av`vjZ, Puv`cyi|**

**‡gvt bs- /2018Bs**

**wewea wiwfkb**

**Avt nvbœvb Xvjx, wcZv- g„Z Avt Kv‡`i Xvjx, mvs- ¸wjkv, †cvt di°vev`, Dc‡Rjv I †Rjv- Puv`cyi|**

**-------------cÖv\_x©|**

**ebvg**

1. **‡ejv‡qZ †nv‡mb Zcv`vi,**
2. **Avjx †nv‡mb Zcv`vi,**
3. **Rvnv½xi ‡nv‡mb Zcv`vi, wcZv- g„Z Avt †Qvenvb Zcv`vi,**
4. **Av³vi †nv‡mb Zcv`vi, mvs- ¸wjkv,**
5. **Avwe` †nv‡mb Zcv`vi, ‡cvt diKvev`,**
6. **Avwgi †nv‡mb Zcv`vi, Dc‡Rjv I †Rjv- Puv`cyi|**
7. **b~i Rvnvb †eMg,**
8. **g‡bvqviv †eMg,**
9. **Av‡bvqviv †eMg,**

**----------ev`x cÖwZcÿ|**

1. **Aveyj Kvjvg cvUIqvix, wcZv- g„Z Avt gwR` cvUIqvix, mvs I †cvt kvnvcyi, Dc‡Rjv- dwi`MÄ, †Rjv- Puv`cyi|**
2. **dviæK ˆQqvj, wcZv- †gŠjfx †gvnv¤§` ‰Qqvj, mvs- evLicyi, †cvt Pv›`ªvevRvi, \_vbv I †Rjv- Puv`cyi|**
3. **kÖx wcÖq‡Zvl bvM, me© wcZv- g„Z P›`ª †gvnb bvM,**
4. **kÖx fe‡Zvl bvM, mvs- ¸wjkv, ‡cvt di°vev`,**
5. **kÖx Ag~j¨ f~lb bvM, \_vbv- Puv`cyi m`i, †Rjv- Puv`cyi|**
6. **kÖx R›Uz †Mvcvj bvM, nvj mvs- 31bs wgjbcjøx gyw`i †`vKvb,**
7. **kÖx g‡bv‡Zvl bvM, ‡cvt I \_vbv- †ejNwoqv,**
8. **kÖx wbiæ †Mvcvj bvM, ‡Rjv- PweŸk ciMYv, cwðge½ fviZ|**
9. **MYcÖRvZš¿x evsjv‡`k miKvi c‡ÿ †WcywU Kwgkbvi, Puv`cyi|**
10. **‡gvt mygb Zcv`vi, wcZv- g„Z Avt †Qvenvb Zcv`vi, mvs- ¸wjkv, †cvt di°vev`, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
11. **kvwnbv †eMg, cwZ- wejøvj †nv‡mb, mvs- ¸wjkv, †cvt di°vev`, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
12. **bvRgv †eMg, cwZ- †gvt †nv‡mb wgwR, mvs- ¸wjkv, †cvt di°vev`, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
13. **kvwn`v †eMg, cwZ- wgRvb †kL, mvs- ¸wjkv, †cvt di°vev`, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
14. **kviwgb †eMg, cwZ- g„Z Avt Mdzi, mvs- ¸wjkv, †cvt di°vev`, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
15. **‡gvt Aveyj Kv‡kg, wcZv- g„Z Avt AvwRR MvRx,**
16. **‡gvt kvgQzj nK, mvs- ¸wjkv, ‡cvt di°vev`,**

**Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**

1. **QwKbv LvZzb, cwZ- g„Z Avt AvwRR, mvs- ¸wjkv, †cvt di°vev`, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
2. **ivwRqv †eMg, cwZ- †gvt gbQzi Avjx †kL, mvs- evwjqv, †cvt di°vev`, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
3. **mvwdqv †eMg, cwZ- Rqbvj Av‡e`xb, mvs- Kzgov, †cvt di°vev`, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
4. **mywdqv †eMg, cwZ- Zvdz wgwR, mvs- ivg`vm`x, †cvt cyivb evRvi, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
5. **kvgQzbœvnvi, cwZ- Avt Kvw`i, mvs- evwjqv, †cvt di°vev`, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
6. **ggZvR †eMg, cwZ- bRiæj Bmjvg, mvs- wPiKv Puv`cyi, †cvt bqvinvU, \_vbv- dwi`MÄ, †Rjv- Puv`cyi|**
7. **Avt jwZd Lvb, wcZv- g„Z nvwkg Luv, mvs- g`bv, †cvt nwicyi, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
8. **Avt †gvZv‡je Luvb, me© wcZv- Avt jwZd Luvb,**
9. **Kvgvj †nv‡mb, mvs- g`bv, †cvt nwicyi,**
10. **Rwibv Av³vi, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
11. **gwgbv Av³vi, cwZ- †gvt kvnRvnvb †kL, mvs- g`bv, †cvt nwicyi, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**
12. **wkiZvR †eMg, cwZ- Av‡bvqvi cvUIqvix, mvs- `wÿY evwjqv, †cvt Pv›`ªv evRvi, Dc‡Rjv- Puv`cyi m`i, †Rjv- Puv`cyi|**

**------------- weev`x cÖwZcÿ|**

**‡gvt evt †`t Kvt wet AvB‡bi 115(we) avivi weavb g‡Z wiwfkb Gi cÖv\_©bvq Zvq`v` gs ............ UvKv a„‡Z wbw`©ó †KvU© wd gs- 300/- UvKv †`Iqv †Mj|**

**cÖv\_x©i Av‡e`b GB:**

1. **cÖv\_x© I cÖwZcÿ‡`i wbqZ evm¯’vb Ges bvwjkx f~wg AÎv`vj‡Zi GjvKvaxb weavq AÎ bvwjk AÎv`vj‡Z wePvh© e‡U|**
2. **1-9bs cÖwZcÿ cÖv\_x© nBqv weÁ m`i mnKvix RR Av`vj‡Z wewea 11/15bs †gvKÏgv `v‡qi Kwiqv cwiPvjbv KivKvjxb D³ †gvKÏgv weMZ 01/11/2017Bs Ges 05/11/2017Bs Zvwi‡L †gvKÏgvwU iÿbxqZv ïbvbxi Rb¨ avh© wQj| D³ Zvwi‡L †gvKÏgvi cÖv\_x© †ejv‡qZ Zcv`vi Ms gnvgvb¨ nvB‡KvU© wefv‡M PwjZ wmwfj wiwfkb 889/2017Bs †gvKÏgv nB‡Z ¯’wMZv‡`k `vwLj Kwi‡e g‡g© AeMZ K‡i| Z`ve¯’vq weMZ 01/11/2017Bs ZvwiL avh©¨ nq| D³ avh©¨ Zvwi‡L cÖv\_x© cÿ †Kvbiƒc ¯’wMZv‡`k Avwbqv weÁ wb¤œ †Kv‡U© `vwLj K‡i bvB| cieZx©‡Z D³ †gvKÏgvi ZvwiL weMZ 05/11/2017Bs avh©¨ Kiv nq| cÖv\_x© cÿ Zvwi‡LI ¯’wMZv‡`k Avbqb K‡i bvB| cÖKvk \_vKv Avek¨K †h, D³ 11/15bs †gvKÏgvwU iÿbxq wKbv? Zvnv wba©viY Kivi Rb¨ ZvwiL avh© wQj| D³ 05/11/2017Bs Zvwi‡L cÖv\_x© cÿ †Kvbiƒc ¯’wMZv‡`k Avwbqv weÁ wb¤œ †Kv‡U© `vwLj K‡i bvB| Dciš‘ D³ 05/11/2017Bs Zvwi‡L iÿbxqZv m¤ú‡K© †Kvb ïbvbx bv wbqv †gvKÏgvwU Pwj‡Z cv‡i g‡g© Av‡`k w`qv mivmwi P~ovšÍ ïbvbx ch©v‡q wbqv hvb| D³iƒc Av‡`k Øviv cÖv\_x©i Ac~iYxq ÿwZ I Awb‡ói KviY nBqv‡Q|**
3. **AÎ †gvKÏgvq †bvwUk cÖvß nBqv 2bs cÖwZcÿ Zvnvi c~e© AwfÁZv I †bvwUk cÖvwßi ci Z\_¨vbymÜvbc~e©K Rvwb‡Z cvwiqv‡Q †h, 1-6bs cÖwZc‡ÿi m¤úwË A‰eafv‡e AvZ¥mvr Kivi Rb¨ Rvj f~qv KvimvwRg~jK e‡›`ve¯Í m„wó Kwiqv cÖv\_x©M‡Yi wcZv Avãym †mvenvb Zcv`vi Ges 8-19bs cÖwZc‡ÿi c~e©eZ©x Avãyj AvwRR MvRx 4.42 GK‡ii 14 Avbv As‡k ¯^Z¡ `vex Kwiqv GK cÖnmbg~jK e›U‡bi ‡gvKÏgv bs 51/62Bs 3q mveRR Kzwgjøv `v‡qi Kwiqv‡Qb, Bnv‡Z cÿfz³ Kiv mKj weev`x‡`i cÖwZ mgb Rvix bv KivBqv H †gvKÏgv 8-11bs weev`xi mwnZ AvZvZ I †hvMmvRk Kwiqv Zvnv‡`i Øviv GK AevšÍi wjwLZ Reve `vwLj KivBqv †gvKÏgv P~ovšÍ ïbvbxi Rb¨ avh©¨ 30/09/1963Bs Zvwi‡L `iLv¯Í w`qv 8-11bs weev`xi bvg AviRx nB‡Z KZ©b Kwiqv H w`bB GKZidv ïbvbx‡Z MÖnY Kwiqv Avãym †mvenvb Zcv`vi wc.WvweøD- 1 wnmv‡e ¯^vÿ¨ w`qv †Kvb KvMR cÎ cÖ`vb QvovB H w`b 30/09/1963Bs `vexK…Z 14 (†PŠÏ) Avbv As‡k GKZidv cÖv\_wgK wWµx nvwQj K‡i Ges `xN©w`b ci 05/12/1966Bs Zvwi‡L †iKW©iƒg nB‡Z b\_x Zje KivBqv weÁ Av`vj‡Z Avbqb Kwiqv P~ovšÍ wWµx cÖPv‡ii Rb¨ `iLv‡¯Íi Dci weÁ Av`vjZ nB‡Z wb¤œ iƒc Av‡`k nvwQj K‡ib| Record received from the Record Room, Comilla Piffs. Petition for making the P.decree final is put up to-day. Piffs to deposit a sum of Rs. 100.00 only towards commission fee by 18.12.66. in funds.**

**wKš‘ D³ ev`xcÿ weÁ Av`vj‡Zi wb‡`©k g‡Z Kwgkb wd Rgv bv w`‡j weÁ Av`vjZ MZ 19/12/1966Bs Zvwi‡L P~ovšÍ wWµx cÖPvi msµvšÍ wb¤œiƒc Av‡`k cÖPvi Kwiqv‡Q| hvnv AvRI ejer I Kvh©Ki iwnqv‡Q|**

**Commission fees of Rs. 100/= not deposited. No further steps taken. Hence ordered. that the prayer for final decree be rejected.**

1. **‡`t 51/62bs †gvKÏgvq GKZidv cÖv\_wgK ivq wWµxi †cÖwÿ‡Z P~ovšÍ wWµx cÖPvi AvBbZt Avi nB‡Z cv‡i bv| Z\_vwcI AÎ †gvKÏgvi cÖv\_x©cÿ Zvnv‡`i PyovšÍ wWµx cÖPv‡ii `iLv¯Í bv gÄyi welq †MvcY Kwiqv 44 ermi ci MZ 23/01/2008Bs Zvwi‡L weÁ †Rjv RR Kzwgjøv‡K cÖZvwiZ Kwiqv Zvnvi BwZc~‡e© H †`t ‡gvt bs 51/62Bs †Z P~ovšÍ wWµx cÖPv‡ii Rb¨ BwZc~‡e© `iLv¯Í †`q bvB Ggb e³e¨ wg\_¨v njdbvgv Øviv mg\_©b Kwiqv `vwLj Kwiqv weÁ †Rjv RR Kzwgjøvi gva¨‡g AevšÍi hv AhvwRZfv‡e D³ †`t †gvt bs 51/62Bs bw\_ MZ 27/01/2008Bs Zvwi‡L e`jx KivBqv Puv`cyi m`i wmwbqi mnKvix RR Av`vj‡Z e›U‡bi P~ovšÍ wWµx cÖPv‡ii Rb¨ Av‡`k nvwQj Kwi‡jI D³ †`t †gvt 51/62Bs hyM¥ †Rjv RR 1g Av`vjZ Puv`cyi †`t †gvt 04/2008Bs wnmv‡e MÖnY KivBqv P~ovšÍ wWµx cÖPv‡ii Rb¨ GW‡fv‡KU Kwgkbvi wbhy³ KivBqv GW‡fv‡KU Kwgkbvi Øviv H †gvKÏgvi bvwjkx f~wgi GKZidv wWµx cÖvß 14 Avbvi ¯’‡j †lvj Avbv m¤úwËi Qvnvg Zvnv‡`i AbyK~‡j cÖvwß †`LvBqv weÁ GW‡fv‡KU Øviv Kwgkb wi‡cvU© `vwLj KivB‡j weÁ hyM¥ †Rjv RR 1g Av`vjZ, Puv`cyi ¯^qs D³ AevšÍi Kwgkb wi‡cvU© ‡`wLqv 51bs Av‡`k ZvwiL 18/10/2010Bs wb¤œiƒc:**

**Òbw\_ ch©v‡jvPbv Kwijvg| bw\_ ch©v‡jvPbvq †`Lv hvq †h, 30/09/1963Bs Zvwi‡Li cÖv\_wgK wWµx‡Z AviwRi ÒKÓ ZcwQjfz³ 4.42 GKi f~wgi g‡a¨ ev`xM‡bi AbyK~‡j 14 Avbv As‡k Qvnvg †`Iqv n‡q‡Q| A\_P mv‡f© Kwgkbvi mv‡ne 14 Avbvi cwie‡Z© 1 †lvj Avbv m¤úwË ev`xc‡ÿi AbyK~‡j Qvnvg w`qv‡Qb| wbhy³xq mv‡f© Kwgkbvi ¯úóZtB ¸iæZi fzj K‡i‡Qb e‡j cÖZxqgvb nq|Ó**

1. **AÎ cÖv\_x© 2bs cÖwZc‡ÿi cyÎ wgbnvR DwÏb Xvjx †`t †gvt bs mv‡eK 51/62Bs nv‡j 04/2008Bs ‡Z P~ovšÍ wWµx cÖPv‡ii Rb¨ weÁ †Rjv RR Kzwgjøv cÖPvwiZ 23/02/2008Bs I 27/01/2008Bs Zvwi‡Li Av‡`k weiæ‡× Ges hyM¥ †Rjv RR 1g Av`vjZ Puv`cyi †`t †gvt bs- 04/2008Bs †Z MZ 12/10/2014Bs Zvwi‡L cÖPvwiZ Av‡`‡ki weiæ‡× gnvgvb¨ nvB‡KvU© wefv‡Mi wmwfj wiwfkb bs 889/2016Bs iæRy Kwiqv 12/04/2016Bs Zvwi‡L iæj cÖvß nq Ges gnvgvb¨ nvB‡KvU© wefvM wmwfj wiwfkb bs 889/2016Bs †Z MZ 09/04/2017Bs Zvwi‡L cÖPvwiZ iv‡q D³ iæj Gdmy‡jU Kwiqv weÁ †Rjv Kzwgjøv KZ…©K cÖPvwiZ 23/01/2008Bs I 27/01/2008Bs Zvwi‡Li cÖPvwiZ Av‡`kØq I weÁ 1g hyM¥ ‡Rjv RR Puv`cy‡ii Av‡`k ZvwiL 12/10/2014Bs Zvwi‡L i` I iwnZ Kwiqv‡Qb Ges D³ iv‡q wb¤œiƒc gšÍe¨ Kwiqv‡Qb:-**

**I have carefully examined the provisional application, the papers and documents annexed thereto, heard the learned Advocate for the petitioner and perused the decisions and the relevant provisions of law. It appears that the plaintiffs of Title Suit No. 51 of 1962 filed application for drawing of the final decree of partition which had been rejected on 19.12.1966 whereas the plaintiffs after laps of inordinate delay of 44 years have filed said application without filing an application under Section 5 of the Limitation Act have prayed for drawing up the final decree of partition on 23.01.2008 stating that they have not yet filed any petition for drawing up the final decree and suppression facts of the prior application and rejection order dated 19.12.1966 absolutely false and on the basis of said false petition the learned District Judge ought to have passed the impugned orders dated 23.0 1.2008, 27.01,2008 directing to prepare the final decree of partition accordingly to the expartee preliminary decree dated 09.10.1963 and moreover it is found the learned District Judge has power to set aside any order or judgment of its subordinate courts according to his jurisdiction but he has no jurisdiction to directly passing any order opening an order sheet which had been occurred in the instant suit and it is also established principle of law that all the judicial orders have forces until it/those are not set aside but in the instant suit the order dated 19.12.1966 is still in force. and sending the records with direction of drawing process for final decree in the impugned, order dated 27.01.2008 passed by the learned District Judge, Comilla illegal, unlawful and without jurisdiction and the initiation of the process of drawing up final decree by the learned Senior Assistant Judge, Sadar Court, Chandpur on the basis of said illegal order of the learned District Judge is illegal, misconceived and on misconception of law have passed the impugned orders which have caused error of law resulting an error of decision occasioning failure of justice. It is also clear case where the courts below committed an error of law resulting in an error in decision occasioning failure of justice and as such this Court under its revisional jurisdiction, is inclined to interfere with the impugned order passed by the Court below. There is merit in the Rule.**

**In the result, the Rule is made absolute.**

**The impugned Order No. 1 dated 23.01.2008 passed by teh District Judge, Comilla for records of Title Suit No.51 of 1962 to the Court of District Judge, Comilla for preparation of Final Decree by the learned Senior Assistant Judge, Sadar Court, Chandpur and order No. 90 dated 12.10.2014 passed by the Joint District Judge, 1st Court, Chandpur staying proceeding of same suit renumbered as. Title Suit No. 4 of 2008 without disposing off the petitioner’s application, under Order 1 Rule 10 of the Code of Civil procedure for adding them as defendants are hereby set aside.**

1. **ewY©Z †`t †gvt bs 51/62Bs Gi GKZidv ivq I wWµx AvBbZt evwZj I AKvh©Ki KvMR ˆe Ab¨ wKQz bq| cÖv\_x© cÿ D³ A‰ea I AKvh©Ki †`t †gvt bs 51/62Bs iv‡qi wfwË‡Z Zvnv‡`i `iLv‡¯Í ewb©Z †`t †gvt bs- 108/1999Bs †Z 08-19bs weev`x cÿfz³ nBqvwQj| AÎ 2bs cÖwZcÿ mÜvb Kwiqv Rvwbqv‡Q †h, †`t ‡gvt 108/1999Bs Gi cÿfz³ 8-19bs weev`x hvnvi (eZ©gv‡b cÖv\_x© I Ab¨ e¨w³iv) D³ †`t ‡gvt bs 108/99 Gi 1-6bs weev`x (hvnv‡`i‡K wewea †gvKÏgvi 4-9bs cÖwZcÿ Kiv nBqv‡Q) m¤§vbxZ nvB‡KvU© wefv‡M wmwfj iæj bs- 162 (Gm) 1992Bs †K 2, 4, 5bs cÖwZcÿ wnmv‡e 03/04/2002Bs Zvwi‡L evqbvc‡Îi `vZvMY IKvjZbvgv `vwLj Kivq D³ IKvjZbvgv m¤§vwbZ nvB‡KvU© wefvM nB‡Z Zje Kwiqv H IKvjZbvgv Zvnv‡`i ¯^xK…Z ¯^vÿ‡ii mwnZ †`t †gvt 108/99Bs bvwjkx evqbvc‡Î \_vKv `vZv‡`i ¯^vÿ‡ii mwnZ cixÿv Kwievi Rb¨ Zje I n¯Í‡jLv wekvi` Øviv cixÿv KivBevi Rb¨ 39bs Av‡`k 17/10/2001Bs GK `iLv¯Í KwiqvwQj hvnv AÎ gvbbxq Av`vj‡Zi c~e©eZx© wePviK 42bs Av‡`‡k MZ 14/11/2011Bs Zvwi‡L bv-gÄyi Kwi‡j D³ †gvKÏgvq cÿfz³ 8-19bs weev`xMY D³ 14/11/2001Bs Zvwi‡Li bv gÄyi Av‡`‡ki weiæ‡× m¤§vwbZ nvB‡KvU© wefv‡M wmwfj wiwfkb bs 483/2002Bs iæRy Kwiqv Bnv‡Z Zvnviv GK Zidvfv‡e ïbvbx Kwiqv‡Q Ges m¤§vbxZ nvB‡KvU© wefvM wmwfj wiwfkb bs 483/2002Bs iæj Gdmy‡jU Kwiqv wb¤œiƒc 16/03/2002Bs Zvwi‡L ivq/wb‡`©k cÖ`vb Kwiqv‡Qb|**

**“In the Result, the Rule is made absolute. The impugned order is set aside and the application (Annexure-1) calling for the Vokalatnama in question is allowed. The Registrar of the Supreme Court is directed to make necessary arrangement to send the original Vokalanama, available with the disposed of record of the Oivil rule no. 162(s) of 1992 by keeping a Photostats copy, to the court below with the positive instruction of returning the same is soon as the examination of the document is over. The trial court directed to dispose of the suit as early as possible.**

1. **wKš‘ D³ †gvKÏgvi PZzi 8-19bs weev`x A\_©vr AÎ †gvKÏgvi cÖv\_x©MY wmwfj wiwfkb bs 483/2002 Gi m¤§vwbZ nvB‡KvU© wefv‡Mi Av‡`k I wb‡`©kbvi Av‡jv‡K D³ IKvjZbvgvq ¯^vÿ‡ii mwnZ evqbvc‡Îi `vZv‡`i ¯^vÿ‡ii mwnZ Zzjbvg~jK cixÿv Kivi †Kvb c`‡ÿc MÖnY K‡i bvB Ges (m¤¢eZ Z\_vq m¤§vwbZ nvB‡KvU© wefv‡Mi D³ wiwfk‡bi ivq/wb‡`©kbv ZvwiL 16/03/2002Bs AÎ Av`vjZ‡KI AewnZ bv Kwiqv gvbbxq Av`vj‡Z fzj eySvBqv/cÖZvwiZ Kwiqv D³ evqbv c‡Î Rvj ¯^vÿi KivBqv‡Q g‡g© †`t †gvt bs 108/99Bs †Z gšÍe¨ Kwiqv‡Q| AÎ cÖv\_x© 2bs cÖwZc‡ÿi Rvbv g‡Z cÖv\_x© m¤§vwbZ nvB‡KvU© wefv‡Mi wmwfj iæj bs 162(Gm) 1992Bs †Z †h ¯^xK…Z IKvjZbvgvq 2, 4, 5bs weev`xi †h ¯^vÿi †mB ¯^vÿi I †`t †gvt bs 108/99Bs †gvKÏgvi evqbv c‡Îi `vZv‡`i ¯^vÿi Gi Awfbœ mwVK RvwbqvB D‡Ïk¨g~jKfv‡e cÖv\_x© cÿ m¤§vwbZ nvB‡Kv‡U©i D³ wb‡`©kbv AÎ gvbbxq Av`vjZ‡K Rvbvq bvB| m¤§vwbZ nvB‡KvU© wefv‡Mi wmwfj wiwfkb bs 483/2002Bs †Z MZ 16/03/2002Bs Zvwi‡L cÖPvwiZ D³ ivq ejer \_vKvq D³ ivq I wb‡`©kbv cÖwZcvjb bv Kwiqv †`t ‡gvt bs 108/99Bs Gi ivq evqbvcÎ `vZv‡`i ¯^vÿi Rvj ev GK nv‡Zi †jLv BZ¨vw` gšÍe¨ AvBb msMZ nB‡Z cv‡i bv| BnvI we‡klfv‡e D‡jøL¨ †h, 1bs cÖwZcÿ I cÖv\_x©cÿ †`t †gvt bs- 108/99Bs Gi weMZ 03/06/2004Bs Zvwi‡Li ivq I wWµxi weiæ‡× †`t Avcxj bs 40/2004Bs Gi iv‡qi weiæ‡× m¤§vwbZ nvB‡KvU© wefv‡Mi wmwfj wiwfkb bs 2521/2007Bs (hvnvi eY©bv cÖv\_x©c‡ÿi `iLv‡¯Íi 4 I 5bs c¨vivq eY©bv Kwiqv‡Q) Bnv‡Z m¤§vwbZ nvB‡KvU© wefvM KZ…©K ivq I wb‡`©kbv ZvwiL 16/03/2002Bs weÁ Avcxj Av`vj‡Z I m¤§vwbZ nvB‡KvU© wefvM KZ…©K ivq I wb‡`©kbv ZvwiL 16/03/2002Bs weÁ Avcxj Av`vjZ I m¤§vwbZ nvB‡KvU© wefvM‡K Zvnviv †KnB Rvbvq bvB| cÖv\_x©c‡ÿi ewb©Z †`t Avt bs 40/2004Bs I wmwfj wiwfkb bs 2521/2007Bs Gi ïbvbx‡Z D³ m¤§vwbZ Av`vjZ mg~‡ni †`t †gvt bs 108/99Bs Gi Ac~Y© wePvi I Ac~Y© wePv‡ii †cÖwÿ‡Z cÖPvwiZ ivq I Rvj msµvšÍ eY©bv evwZj Kwi‡Zb| BnvI D‡jøL¨ †h, D³ weÁ Avcxj Av`vjZ I m¤§vwbZ nvB‡KvU© nvB‡KvU© wefvM ‡`t †gvt 108/99Bs Gi bvwjkx evqbvcÎ Rvj g‡g© †Kvb dvBwÛs †`b bvB ev gšÍe¨ K‡ib bvB| m¤§vwbZ nvB‡KvU© wefv‡Mi wmwfj wWwfkb bs 162(Gm)/1992Bs †gvKÏgvq 03/04/2000Bs Zvwi‡L `vwLjxq IKvjZ bvgvi `¯ÍLZ fe‡Zvl bvM, h`y †Mvcvj bvM, g‡bv‡Zvl bvMM‡bi `vwLjxq IKvjZbvgv Zje Kwiqv Bnvi Zzjbvg~jK cixÿv Kwi‡j †`t †gvt bs 108/1999 Gi bvwjkx evqbvcÎ Zvnv‡`i ¯^vÿi mwVK ewjqv cÖgvbxZ nB‡e Ges †`t ‡gvt bs 108/1999Bs †Z evqbvcÎwU Rvj msµvšÍ gšÍe¨ fzj cÖgvwYZ nBqv‡Q| wmwfj wiwfkb 162(Gm) 1992Bs ‡gvKÏgv Lvwi‡Ri Av‡`k nq| D³ †gvKÏgv Lvwi‡Ri Av‡`k nIqvq evqbvcÎ `vZvM‡Yi I kixKM‡Yi 4.42 GKi f~wg gvwjK envj \_v‡K| AÎ †gvKÏgv wg\_¨v I D‡Ïk¨ g~jK ZvB Bnv mivmwi bv gÄyi †hvM¨|**
2. **‡h‡nZz wewea 11/2015bs †gvKÏgv weMZ 01/11/2017Bs Zvwi‡L 109bs Av‡`k g~‡j †gvKÏgvwU iÿbxqZv ïbvbxi Rb¨ w`b avh©¨ nq| cÖv\_x© gnvgvb¨ nvB‡KvU© wefv‡Mi 889/2016Bs bs †gvKÏgvq weMZ 09/04/2017Bs Zvwi‡L Kvh©KvwiZv ¯’wM‡Zi Av‡`k Avbv ¯^v‡c‡ÿ AÎ †gvKÏgvi iÿbxqZv m¤ú‡K© ïbvbxi Kvh©¨ ¯’wMZ ivwLqv wfbœ ZvwiL avh©¨ Kivq Av‡`k `v‡bi cÖv\_©bv K‡i Zr †cÖwÿ‡Z 05/11/2017Bs Zvwi‡L iÿbxqZv ïbvbx I ¯’wMZv‡`k `vwL‡ji Rb¨ avh©¨ Kiv nq| weMZ 05/11/2017Bs Zvwi‡Li 110bs Av‡`k ch©v‡jvPbvq †`Lv hvq D³ Zvwi‡L cÖv\_x©cÿ gnvgvb¨ nvB‡KvU© nB‡Z †Kvb ¯’wMZv‡`k Avbqb µ‡g Zvnv `vwLj K‡i bvB ev iÿYxqZv m¤ú‡K© †Kvbiƒc ïbvbx Kiv nq bvB| Zv ¯^‡Z¡I weÁ wb¤œ †KvU© 05/11/2017Bs Zvwi‡Li Av‡`‡k D‡jøL K‡ib Òïbjvg| gvgjvwU eZ©gvb AvKv‡i I cÖKv‡i Pj‡Z AvBbMZ evav bvB g‡g© cÖZxqgvb nq| AvMvgx 04/03/2018Bs Zvwi‡L P.H. (P~ovšÍ ïbvbxi) Rb¨ w`b avh©¨ Kiv nq| D³ iƒc Av‡`k Øviv GB cÖv\_x©i Ac~iYxq ÿwZi KviY nBqv‡Q weavq cÖv\_©x AÎ bs †gvKÏgv `v‡qi Kwi‡Z eva¨ nB‡jK|**
3. **weÁ wb¤œ †KvU© Zuvnvi cÖ`Ë Av‡`k m¤ú‡K© mwVK wm×všÍ DcwYZ bv nBqv cÖK…Z welq e¯‘ D˜NvUb Kwi‡Z e¨\_© nBqv ewY©Z fv‡e Av‡`k cÖPvi Kwiqv AvBbMZ ÎæwUc~Y© Kvh©¨ Kwiqv ivwLqv‡Qb weavq D³ Av‡`k i` I iwnZ †hvM¨ e‡U|**
4. **weÁ wb¤œ †KvU© Zuvnvi cÖ`Ë Av‡`k m¤ú‡K© mwVK wm×v‡šÍ DcwYZ bv nBqv wb‡Ri B”QvgZ Av‡`k cÖPvi Kwiqv m¤ú~Y© b¨vq wePv‡ii cwicwš’ g~jK Kvh©¨ Kwiqv ivwLqv‡Qb| weavq D³ Av‡`k i` I iwnZ †hvM¨ e‡U|**
5. **weÁ wb¤œ †KvU© Zuvnvi cÖ`Ë Av‡`k m¤ú‡K© h\_vh\_ wm×v‡šÍ DcwbZ nB‡Z cvwi‡j AÎ bs †gvKÏgvi cÖwZcÿ M‡Yi G‡Ki ci GK gvgjv `v‡qi nB‡Z evwiZ nB‡Z cvwiZ| wKš‘ Zvnv bv Kivq GB cÖv\_x©‡K m¤ú~Y© Ab¨vq I ÿwZi g‡a¨ †d‡j †`Iqv nBqv‡Q weavq D³ Av‡`k i` I iwnZ †hvM¨ e‡U|**
6. **eµx evPwbK wb‡e`xZ nB‡e|**

**‡mg‡Z webxZ cÖv\_©bv Dc‡iv³ Ae¯’v I KviYvax‡b:**

1. **AÎ wiwfkb †gvKÏgvwU GWwgU Kivi Av‡`k w`qv;**
2. **cÖwZcÿMY cÖwZ †bvwUk Rvixi Av‡`k w`qv;**
3. **weÁ m`i wmwbqi mnKvix RR Av`vj‡Zi wewea 11/2015Bs bs †gvKÏgvi b\_x Zj‡ei Av‡`k w`qv;**
4. **Dfq cÿ‡K ïbvbx Kivi Av‡`k w`qv;**
5. **Ges weÁ m`i wmwbqi mnKvix RR Av`vj‡Zi wewea 11/2015Bs bs †gvKÏgvi cÖPvwiZ weMZ 05/11/2018Bs Zvwi‡Li Av‡`k i` I iwnZ µ‡g mywePvi Kwi‡Z gwR© nq| BwZ Zvs-**

**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**