

evsj v̄t` k m̄c̄l̄g t̄KvU[©]
nvBtKvU[©]efvM
(t̄®úkvj Awi Rb̄vij Ryi m̄WKKvb)

i xU w̄Ukb bs - 749/2009

Bb w̄ ḡvUvi Adt

Bn̄ evsj v̄t` k ms̄earvbi 102 Abt"Q` Abym̄ti GKU Av̄te` bc̄t;
Ges

Bb w̄ ḡvUvi Adt

ḠWtFvU Avmv` p̄4vgvb Ms

DDDD` i Lv̄ Kvi xMY

ebig

evsj v̄t` k Ms

.....c̄Zer` xMY

i b̄bxt 5 B tg, 2009 Bs

i vq c̄vbt 6 B tg, 2009 Bs

Dc̄w̄nZt

w̄Pvi c̄wZ Rb̄ve G, w̄e, Gg, Lv̄qi "j nK
Ges
w̄Pvi c̄wZ Rb̄ve tgvt ggZvR Dv̄l b Avnt^o§

w̄Pvi c̄wZ G, w̄e, Gg Lv̄qi "j nK t

2001 m̄tb evsj v̄t` k AbjōZ 8g RvZxq msm` v̄bePb-cieZKvj mḡtq AbjōZ AmsL^u m̄nsm NUbv m̄Zj
mi Kytii i b̄w[®]Zv[®]K P̄v[®]j Ä Kvi qv Ā Rb̄-t̄gj K i xU t̄gvK^lgwU v̄nDg[®]b i vBUm ḠvU c̄m di evsj v̄t` k
(GBP Avi w̄c w̄e) ms̄vU Ges evsj v̄t` k m̄c̄l̄g t̄KvU[®] 6 (Qq) Rb ḠWtFvU[®] v̄tqi Kvi qvtQb |
GB ` i Lv̄-l ej v nq th, v̄nDg[®]b i vBUm ḠvU c̄m di evsj v̄t` k (GBP Avi w̄c w̄e) ms̄vU evsj v̄t` k
gvbewaKvi i ¶v^li c̄Povq v̄bqZ | GB ms̄v newfbemgtq evsj v̄t` k gvbewaKvi ¶v^lbewaKvi NUbv NvU^lj Zvnv
AvBbMZfvt c̄ZKv^li i c̄Pov K^li | 2-7 bs ` i Lv̄-l Kvi xMY evsj v̄t` k m̄c̄l̄g t̄KvU[®] w̄A ḠWtFvU[®]KU, Zvnv i l
GB ms̄v m̄nZ Rv̄oZ | 1 bs ` i Lv̄-l Kvi x ms̄v c̄Zer` xMY eive^l 29-01-2009 Zvi t̄L GKU Demand of
Justice Notice Rvix Ki Zt 2001 m̄tb AbjōZ 8g RvZxq msm` v̄bePb-cieZPmḡtq AbjōZ RNb^u NUbvej x
m̄aútK[®]Z[®] v̄bš^l b mi Kytii i m̄aúb[®]Zv eYBv Ki Zt D³ m̄nsm NUbvej x m̄aútK[®]GKU w̄Pvi w̄fMxq Z[®] Š^l
Kigkb Mv̄b Kvi evi Rb̄ c̄Zer` xMYtK Abjivva Kvi nq (ḠvbtKPvi - w̄e) K^lS' Zvnv^lZ t̄Kv^l dtj v̄q bv nl qvq
Zvnv i Ā i xU t̄gvK^lgwU v̄tqi Kvi t̄j Ā Av̄vij Z evsj v̄t` k ms̄earvbi 102 Abt"Q` Abym̄ti c̄Zer` xMY
eive^l v̄bgnj w̄L Rule NISI Rvix K^li t

"Let Rule Nisi be issued calling upon the respondents to show cause as to why a direction should not be given to from a Judicial Commissioner regarding the incidents occurred after the 8th Parliamentary Election as stated in paragraph 9 to 12 of the writ petition and reported in the daily news papers (Annexure-A) and/or pass such other or further order or orders as to this Court may seem fit and proper.

The Rule is made returnable within 4(four) weeks from date.

Let this Rule come up in the list for hearing on 04.03.2009.
Requisites to be put in at once."

evsj vt` k mi Kvi - 1 bs cÖZev` x cÖP 15-04-2009 Zwi tL nj dKZ GKU GidtWifU Bb AcIRkvb `wLj Kiv nq| D³ GidtWifU Bb AcIRkvb ixU tgvKt gvi ` i Lv-Í AvbxZ eYDv | e³e" m¤tÜ tKvb Z_ MZ cÖZev` Dl vcb Kiv nq bvB |

Rbve gbiRj tgvi tm` , G WtfvKU , ` i Lv-Í Kvi xMfYi cÖP Zvnvi e³e" Dc-tcb Ktib| Abw-tK kihj³ Ki "bvgq PvKgv Ges Rbve tgv-Í dv Rvgwb Bmj vg, tWcJU G WUYP tRbti j 1 bs cÖZev` x cÖP Zvnvt` i e³e" Dc-tcb Ktib|

Rbve gbiRj tgvi tm` , weÁ G WtfvKU Zvnvi ` i Lv-Í | Bnvi mnZ mshj³ mser` cÖP wewfbœAsk (MKcs) Gi cÖZ Avgv` i ` w AvKtY ceR wbte` b Ktib th, 8g RvZxq msm` wbePb 01-10-2001 Zwi tL AbjöZ nq MKS ZrcieZP evsj vt` k RbtMmøi Dci cÖP i Kg wbcrb AbjöZ nq wtkl Kvi q msLvj NymcÖvqi bvix cij` l wbewktl Lp I hLg Kiv nq, AwemsthM, nZv, ivnvRvbx, j ïb, bvix alY Kiv nq| GB cÖt½ ` i Lv-Í i mnZ mshj³ G vtbKPvi - G wmi R eWZtK Avi I wewfbœmser` cÖP cÖKwKZ NUbvej xi cÖZ Avgv` i ` w AvKpB Kvi q wZb e³e" Dc-tcb Ktib| ZvnQov, wZb wewfbœgbeawaKvi ms` v KZK cÖKwKZ cÖZte` tb 2001 mibi At±vei 3 nBtZ wtm¤t 31 Zwi L chs` evsj vt` k AbjöZ cÖKwPK NUbvej x cÖZ Avgv` i ` w AvKpB Ktib| D³ mKj NUbvej xi Avtj vt` k wZb wbePb cieZP mnsm I cÖPwK wbhPZtbi evcvti Z` ts` i Arte` b Ktib| wZb mser` cÖP cÖKwKZ tfvji GKU NUbv eYDv Kvi tZ wqy ArteMvyc fvtetj b th, msLvj NymcÖvqi GKRb ` fMv gy Zvnvi Acvi YZ eq` Kvi tZ alRt` i nvZ nBtZ i qv Kvi tZ e` _nBqv KvbeRwoZ KtÚ Abjtiva Kvi qmQj th everi Avgvi tgq tQvU, tZvgiv GKRb Kti hv | H mgqKvi cÖPwK NUbvej x ` sib Kvi q weÁ G WtfvKU gtn` q ej b th AvBqvtg Rvtnjy qtz i hqMi tj vtKvi GBi"e eeP Ae` v cÖZ Kti bvB hvnv evsj vt` k Aog mvarib wbePb cieZPmgfq msNvZ nBqoQj | GBi/c cÖKwPK NUbv wZxq gnvhjkVj xb mgfq tcij vt` k NtUbvB hvnv evsj vt` k NwutqoQj | mi Kvi cÖP i ` wLj KZ GidtWifU Bb AcIRkvb Gi cÖZ ` w AvKtY ceR wZb wbte` b Ktib th, evsj vt` k mi Kvi I msuké mgfq msNvZ wewfbœmns NUbvej x I wbhPZb gj K NUbvej xi Rb` GKU Z` s` Kvgkb MVb Kvi evi Rb` tPqfvtetj wetePbv Kvi tZtQb weavq wZb GBi/c GKRb Z` s` Kvgkb MVb Kvi evi cÖP Ktib hvntZ wPvYZ ` y wZKvi xMfYi kw-Í weavb nBtZ cvti | Abv_vq j wNZ gbeZv I b`vq wePvi cYi "xi nBte bv Ges msweavtgb beawaKvi wbhPZ Kvi evi th A½Kvi i nqvtQ Zvnv fj wZ nBte| Avgv` i cÖkje DÉti weÁ wG, R ej b th ` i Lv-Í Kvi x cÖP i D³ cÖP m¤tÜ mi Kvi cÖP tKvb AvcM Dl vcb Kvi tZtQ bv|

Dfq cÖP i e³e" ktb Ges mshj³ KvMRw` (G vtbKPvi - G wmi R) Ges GZ -msPvI eüea cy` K hvntZ 01-10-2001 Zwi tL AbjöZ 8g RvZxq msm` wbePb-cieZPmgfq mnsm wbhPZb gj K NUbvej xi we` vvi Z eYDv i nqvtQ Zvnv chfetj Kiv nBj | ZvnQov, gbeZvi we` tX Aciva m¤uKZ RvZxq m¤tQj b 2002 tZ cÖKwKZ cy` tKtI G m¤tÜ we` weib cÖvb Kiv nBqvtQ | mnsmZv Ges wbhPZb gj K NUbvej xi th eYDv D³ wewfbœ` vj j w` tZ eYDv D³ ` vj j w` tZ ebv Kiv nBqvtQ Zvnv mZ` nBtj wbxwv ej v hvq th, msuké mgfq evsj vt` k gbeawaKvi fj wZ nBqoQj hv` i gbeawaKvi i qv Kvi evi A½Kvi evsj vt` k msweavtbi wZxq | ZZxq fvtM wbhPZ Kiv nBqvtQ | Zte` i Lv-Í , Zrmshj³ KvMR I cy` K I ` vj j w` tZ ewvZ bksm | mnsm NUbvej x m¤tÜ tKvb gš` e` cÖvb Kiv mgxPxb nBte bv Kvi b At` i Lv-Í msuké mgfq msNvZ mnsmZvi NUbvej x m¤tÜ GKRb Z` s` Kvgkb MVb m¤tKcÖP Kiv nBqvtQ | cÖKZcÖP msuké mgfq ZrKv j xb mi Kvi cÖP AvBb mWKFvtetj cÖqM Kizt ZLBb GKRb Z` s` Kvgkb MVb Kvi tZ gbeawaKvi wKQv nBtj | i qv nBZ | thtñZz` i Lv-Í , Bnvi mnZ mshj³ KvMRw` tZ Ges ` wLj KZ ` vj j w` tZ gbeawaKvi f`v i AmsL` NUbvi eYDv i nqvtQ hvnv RvZi weteKtK bvo w` tZ eva` | GgZ Ae` vq we` t¤nBtj | Avgiv gtB Kvi th GKRb Z` s` Kvgkb MVb nI qv DvPZ | D³ Kvgkb gbeawaKvi f`v i cÖZtU NUbvi mp Z` s` Kvi te` | Abv_vq hv` ` i Lv-Í Kvi x cÖP Dl wicZ AvfthM mZ` nq Zvnv nBtj ewYZ eeP, cÖPwK NUbvej x hvnv weteKvzb fvte NwutqtQ GB RvZ Zvnvt` i mg Acivta Acivax nBte, msweavtbi gj bwZ | Av` R f`v nBte Ges wtkj` i evti eeP RvZ wnmvt Avgv` i cÖvPwZ nBte | GgZ Ae` vq evsj vt` k mi Kvi tK GKRb Z` s` Kvgkb MVb Kvi evi Rb` wbt` R cÖvb Kiv wvB mgxPxb nBte ej qv Avgv` i wKU cÖZqgjb nBtZtQ |

GgZv` vq, Avgiv cÖZev` xMYtK the Commissions of Inquiry Act, 1956 (Act No. VI of 1956) AvBtbi Avi Zvq 2001 mibi 1j v At±veti AbjöZ 8g RvZxq msm` wbePb cieZPmgfq msNvZ Kvi Z bmsk cÖKwPK I eeP NUbvej x wtkl Kvi q msLvj NyRbtMmøi Dci Ges wtkj` i Dci wbcrb, wbhPZb, nZv, alB, Mjn AwemsthM AwfthM m¤tK GKRb cÖvZ Z` s` Kvi evi Rb` wbt` R cÖvb Kiv nBj | GB Z` s` Kvgkb Dcti ewYZ AvBtbi Avi Zvq MVb Kiv nBte| cÖZev` xMYtK At` i vq cÖBj` B gvtmi gta` D³ Z` s` Kvgkb MVb Kvi evi Rb` wbt` R cÖvb Kiv nBj | D³ ifc MwZ Z` s` Kvgkb AvMgj 6 gvtmi gta` Zvnvt` i cÖZte` b mi Kvi i wKU cÖZtU Kvi teb|

G m¤ú‡K©nsiké-mKj †K -ši b i wL‡Z nB‡te th AvB‡bi ` wó‡Z AcivaxMY‡K 0Acivax0 e„wZZ Zvn‡` i Ab“ †Kvb
 cwi Pq bvB| Z` ší Kugkb m¤úb‡bi †c¶| wbtgmñ fv‡e Zvn‡` i Dci AwcZ ` wqZj cyj b Kwi †eb|
 Z` ší c‡‡te` b c‡Bi ci c‡‡Zer` x Mb c‡‡wj Z AvBb Abjv‡ti c` †¶c MhY Kwi †Z eva“ _wK‡eb| G m¤ú‡K©
 †Kvb wb‡` Rbv c‡‡qyRb nB‡j c‡‡Zer` x c¶ A_ev ` i Lv-Í Kvix A† Av` vj †Zi wbKU w K wb‡` Rbv c‡‡_Dv Kwi †Z
 cwi †eb| GB tc‡¶vc‡U A† ixU tgvK† gvwJ Continuing mandamus wnmv‡e MY“ Kv nBj |
 Dctiv³ gší e“ Ges wb‡` Rbv c‡‡vb mnKv‡i webv Li Pvq A† i“j wJ GvemvJ DU Kv nBj |
 GB c‡‡‡½ ej v c‡‡qyRb th, ` i Lv-Í Kvix ct¶i weÁ Gvw‡fv‡KU Rbve gbwRj tgvi †m` Ges c‡‡Zer` x ct¶i
 kihj³ Ki“bvgq PvKgv Ges tgv-Í dv Rvgvb Bmj vg, †WcJU GvUYx© †Rbv‡ij g‡nv` qM‡Yi AKvší cwi ktj
 ab“ev` thwM” |
