

IN THE SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION  
(SPECIAL ORIGINAL JURISDICTION)

**Writ Petition No. 5524 of 2017**

In the matter of:

An application under Article 102 of the  
Constitution of the People's Republic of  
Bangladesh

AND

In the matter of:

Abdur Rashid

..... Petitioner

-Versus-

Bangladesh and others

.... Respondents

Mr. Md. Rasheduzzaman Bosunia, Advocate

....For the Petitioner

**The 27<sup>th</sup> August, 2023**

Present:

Justice Muhammad Khurshid Alam Sarkar

&

Justice Sardar Md. Rashed Jahangir

The instant writ petition has been filed challenging the legality and propriety of the order dated 08.01.2017 (Annexure-D) passed by the learned Judge of the Artha Rin Adalat, Bogra in Artha Execution Case No. 188 of 2016.

At the time of issuance of this Rule on 13.04.2017, the operation of the order dated 08.01.2017 (Annexure-D) passed by the learned Judge of the Artha Rin Adalat, Bogra in Artha Execution Case No. 188 of 2016 was stayed by this Court, which was extended from time to time.

Today, Md. Rasheduzzaman Bosunia, the learned Advocate for the petitioner appearing before this Court prays for extension of the interim Order of Stay.

However, from the perusal of the petition along with its annexure and taking into the consideration the submissions of the learned Advocate for the petitioner, this Court is of the view that the instant Rule is not maintainable as there is apparently no legal issue for examination by this Court.

Nevertheless, as the learned Advocate for the petitioner prays for examining the legal and factual issues taken by him in this Writ Petition, this Court is inclined to fix the matter for hearing.

However, the interim Order dated 13.04.2017 passed by this Court at the time of issuance of this Rule is hereby recalled and vacated. The respondent Nos. 2 & 3 shall be at liberty to proceed with the Execution Case.

Let the matter be placed in the daily cause list under the column "For hearing".