

Present:
Mr. Justice Md. Iqbal Kabir
And
Mrs. Justice Jesmin Ara Begum

Civil Revision No. 3874 of 1995

Nawab Mian and others
....Petitioners

Versus

The Mayor, Dhaka City Corporation, Municipal
Street, Police Station-Sutrapur, Dhaka
....Opposite Party

No one appears
....For both parties

Judgment on 09.11.2025.

Md. Iqbal Kabir, J:

This matter has been sent to this Bench for disposal. However, it has been appearing in the list since 22.07.2025, though no one appears on behalf of the petitioners. However, on 31.08.2025, under certain circumstances at the instance of the petitioners, this matter was adjourned.

However, on 02.09.25, this matter appeared in the list. Mr. Abdul Barek Chowdhury, learned Advocate for the petitioners, brings notice to this Court that some petitioners have died and require substitution; therefore, based on the prayer, the matter is adjourned with a direction to take proper steps within such period.

It is pertinent to note that on 23.10.25 and 02.11.25, this Court again allowed time to file the substitution application. But, to date, no such substitution application has been brought to this Court. Though again, on 09.11.2025, it appears in the daily cause list; no one appears to have apprised this Court about the substitution application or any other initiative.

This is a long-pending matter; parties are reluctant. At this juncture, this Court considered the subject matter and found there is no reason to keep it pending for an unlimited period. Thus, this Court allowed time with a default

order, and i.e. was failing to file a substitution application within such time, the Rule shall stand discharged. Knowing such a default order, they did not take initiative or file a substitution application, which suggests petitioners may have lost their interest as there is no merit.

In this context, by operation of the order dated 02.11.2025, this Rule has already been discharged, since the petitioners did not comply with the Court order dated 02.11.2025.

The order of stay granted at the time of issuance of the Rule is hereby recalled and vacated.

Let a copy of this judgment, along with the lower Court records, be communicated to the Court concerned forthwith.

There is no order as to cost.

Jesmin Ara Begum, J:
I agree.