

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

WRIT PETITION NO. 2150 OF 2018

IN THE MATTER OF

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

-AND-

IN THE MATTER OF:

Md. Tauhidul Alam Sheikh (Arun)

... Petitioner

-Versus-

Artha Rin Adalat No. 4, Dhaka and
others

... Respondents

No one appears

.....For the petitioner

No one appears

..... For the respondents

The 07th day of December, 2023

Present:

Mr. Justice J.B.M. Hassan

and

Mr. Justice Razik-Al-Jalil

J.B.M. Hassan, J:

This Rule Nisi was issued in the following terms:

“Let a Rule Nisi be issued calling upon the respondents to show cause as to why the auction sale process schedule to be held on 15.02.2018 published by the respondent No. 1 in the Daily Bhorer Dak dated 22.01.2018 inviting tenders to sell the petitioner's property as described in the schedule of the auction notice pursuant to ARtha Jari Case No. 84 of 2017, Now pending in the Court of Artha Rin Court No. 4, Dhaka shall not be declared to have been passed without lawful authority and is of no legal effect and/or pass such

other or further order or orders as to this Court may seem fit and proper.”

None appears either for the petitioner or the respondents when the matter is taken up for hearing.

It appears from the order dated 12.02.2018 that at the time of issuance of the Rule Nisi this Court passed an interim order on 12.02.2018 in the following terms:

“Pending hearing of the Rule, let the operation of the auction notice for sale of petitioner’s property by respondent No. 1 under section 12 of the Artha Rin Adalat Ain, 2003 published in the Daily Bhorer Dak on 22.01.2018 be stayed for a period of 3 (three) months from date, subject to payment of Tk.02(two) lacs within 4 (four) months from date. The petitioner is further directed to pay the outstanding amount within 24(twenty four) months. In default, the Rule shall stand discharged and the respondents will be at liberty to take necessary action.”

Record shows that the petitioner did not comply with the Court’s order.

Hence, the Rule Nisi is discharged without any order as to costs.

Communicate a copy of the judgment and order to the respondents at once.

Razik-Al-Jalil, J:

I agree.