

**In the Supreme Court of Bangladesh**  
**High Court Division**  
 (Civil Revisional Jurisdiction)

**Present:**  
**Mr. Justice Mamnoon Rahman**  
**And**  
**Mr. Justice Ashish Ranjan Das**  
**First Appeal No. 104 of 2019**  
In the matter of:  
 Computer Source Limited  
       ..... Plaintiff-Appellants.

-Versus-

Mominul Islam, Managing Director and Chief  
 Executive, represented to IPDC Finance  
 Limited.

..... Respondents.

Mr.Md. Asadur Rahman, Advocate

.....for the Appellants.

Ms. Farzana R. Shampa, Advocate

..... for the -Respondents.

**Heard      on      and      judgment      on:**  
**24.04.2019.**

**Ashish Ranjan Das, J.:**

Learned Joint District Judge, 1<sup>st</sup> Court, Dhaka by his order dated 28.11.2018 passed in Title Suit No.988 of 2018 summarily dismissed the suit finding it barred by Section 20 of the Artha Rin Adalat Ain.

Being aggrieved the plaintiff preferred this appeal.

In addition the defendant opposite party pressed an application for dismissal of the appeal as being infructuous.

Short fact is that the defendant brought an Artha Rin suit that was decreed as the appellant failed to adjust the debt. The mortgaged property was put on auction. Now this appellant defendant brought a suit being Title Suit No.988 of 2018 challenging the publication of the auction notice and prayed for temporary injunction so that the execution proceeding could be stopped. The learned Joint District Judge by his order dated 28.11.2018 dismissed the suit as being not maintainable. Wherein it is observed that such a suit praying temporary injunction for stopping a execution proceeding of the Artha Rin Court is unknown to law and rather barred by section 20 of the Artha Rin Adalat Ain, 2003.

We find no illegality in the order.

Accordingly, the appeal is dismissed.

No order as to costs.

Send down the Lower Court records at once.

Communicate the Judgment and Order to the concern Court at once.

**Mamnoon Rahman,J**

**I agree**

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