

IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(CIVIL REVISIONAL JURISDICTION)

Present:-

Mr. Justice Faysal Hasan Arif

Civil Revision No. 909 of 2019

Md. Shafiqul Islam

..... Petitioner

-Versus-

Shirin Islam and others

..... Opposite-Parties

None appears

..... For the Parties

Judgment on 10.03.2026

This Rule, was issued calling upon opposite party Nos. 1-5 to show cause as to why the judgment and order dated 13.01.2019 passed by learned Additional District Judge, 2nd Court, Dhaka in Miscellaneous Appeal No. 30 of 2018 dismissing the appeal and affirming the Order dated 11.01.2018 passed by learned Senior Assistant Judge, 1st Court, Dhaka in Title Suit No. 210 of 2017 allowing an application of temporary injunction filed by the plaintiffs under Order 39 Rule 1 and 2 read with section 151 of the Code of Civil Procedure, dismissing the appeal, should not be set aside.

At the time of issuance of Rule, operation of the impugned order dated 13.01.2019 was stayed and the parties were directed to maintain *status quo* in respect of possession and position of the suit land for a period of 6 (six) months which was subsequently extended till disposal of the Rule.

Fact relevant, for the purpose of disposal of this Rule, are that the opposite party Nos. 1-5 as plaintiffs filed a suit for permanent injunction against the defendant petitioner. Thereafter, the plaintiffs filed an application for temporary injunction under Order 39 Rule 1 and 2 read with 151 of the Code of Civil Procedure before the trial Court and the petitioner as defendant No. 1 filed written objection against the said application and after hearing learned Senior Assistant Judge, 1st Court Dhaka was allowed the application by order dated 11.01.2018.

Being aggrieved by order dated 11.01.2018 the defendant petitioner filed Miscellaneous Appeal No. 30 of 2018 before the learned District Judge, Dhaka and on transfer the appeal was heard by learned Additional District Judge, 2nd Court, Dhaka who after hearing dismissed the appeal, affirmed the order of the trial court by judgment and order dated 13.02.2019 against which the defendant filed the instant revisional

application and obtained the instant Rule and order of *status quo* in respect of possession and position of the suit land.

At the time of hearing, none appears on behalf of the petitioner as well as the opposite parties.

It appears that during issuance of Rule the parties were directed to maintain *status-quo* in respect of possession and position of the suit land which has been extended till disposal of the Rule, but the plaintiff opposite parties did not appear to contest the Rule or made any application for vacating the order of *status quo*. In view of the above it will be just and proper if the order of *status quo* is maintained till disposal of the suit.

In the view of the above, the Rule is disposed of.

The parties are directed to maintain *status quo* in respect of possession and position of the suit land till disposal of the suit.

Communicate a copy of the judgment to the Court concerned at once.