

**District: Barishal**

**In the Supreme Court of Bangladesh**

High Court Division  
(Civil Revisional Jurisdiction)

**Present**

**Mr. Justice Md. Zakir Hossain**

**Civil Revision No. 2029 of 2020**

Abdul Mannan Howlader being dead his heirs:  
Siddika and others

.....Judgment debtor-Petitioners

-Versus-

Abdul Bark Chowdhury and another

.....Decree holder-Opposite Parties

None appears

..... For the petitioners

Ms. Suria Begum, Advocate

....For the opposite party No.1

**Heard on: 06.03.2024 and 08.05.2024**

**Judgment on: 09.07.2024**

At the instance of the petitioner, the leave was granted and the Rule was issued by this Court to challenge the legality of the impugned Order No. 2 dated 28.10.2020 passed by the learned District Judge, Barishal in Civil Revision No. 36 of 2020.

Facts leading to the issuance of the Rule are *inter alia* that in Title Execution Case No. 02 of 2010, the judgment debtor filed an application for local investigation. Upon hearing, the learned Assistant Judge was pleased to reject the petition for local investigation. Challenging the legality and propriety of the impugned order of the learned Assistant Judge, the petitioner preferred Revisional Application No. 36 of 2020 before the Court of the learned Senior District Judge, Barishal. Upon

hearing the learned Senior District Judge was pleased to reject the Revisional Application summarily. Impugning the judgment and order of the learned Senior District Judge, the petitioners moved this Court and obtained the leave and Rule and stay therewith.

None appears to press the Rule.

Heard the submissions advanced by the learned Advocates of the opposite parties at length and perused the materials on record with due care and attention and seriousness as they deserve. The convoluted question of law embroiled in this case has meticulously been waded through.

On perusal of the materials on record, it appears that the learned Assistant Judge rightly rejected the petition for holding local investigation and the learned Senior District Judge, Barishal assigning cogent reason summarily rejected the Revisional Application.

No illegality has been spelt out within the bounds of the impugned judgment and order of the Court below. Hence, the Rule shall flat.

In the result, the leave is dismissed and accordingly, the Rule is discharged, however, without passing any order as to costs. The earlier order of stay granted by this Court, thus, stands recalled and vacated.

Let a copy of the judgment be sent down to the Courts below at once.

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**Md. Zakir Hossain, J**