

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

Writ Petition No. 9108 of 2020

In the matter of:

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

AND

In the matter of:

M/S R.R Carton and Accessories Ltd.

..... Petitioner

-Versus-

Judge, Artha Rin Adalat No.4, Dhaka and
others

.... Respondents

Ms. Fawzia Karim Fiorze, Advocate

....For the Petitioner

Mr. Rusho Mostafa, Advocate

....For the respondent No.2-Bank

The 27th August, 2023

Present:

Justice Muhammad Khurshid Alam Sarkar

&

Justice Sardar Md. Rashed Jahangir

The instant writ petition has been filed challenging the legality and propriety of the order dated 08.09.2020 (Annexure-E) passed by the learned Judge of the Artha Rin Adalat No.4, Dhaka in Artha Jari Case No. 78 of 2018 (arising out of Artha Rin Suit No. 2029 of 2014).

At the time of issuance of this Rule on 02.12.2020, the operation of the order dated 08.09.2020 (Annexure-E) passed by the learned Judge of the Artha Rin Adalat No.4, Dhaka in Artha Jari Case No. 78 of 2018 was stayed by this Court, which was extended from time to time.

Today, Ms. Fawzia Karim Fiorze, the learned Advocate for the petitioner appearing before this Court prays for extension of the interim Order of Stay.

However, from the perusal of the petition along with its annexure and taking into the consideration the submissions of the learned Advocate for the petitioner, this Court is of the view that the instant Rule is not maintainable as there is apparently no legal issue for examination by this Court.

Nevertheless, as the learned Advocate for the petitioner prays for examining the legal and factual issues taken by him in this Writ Petition, this Court is inclined to fix the matter for hearing.

However, the interim Order dated 02.12.2020 passed by this Court at the time of issuance of this Rule is hereby recalled and vacated. The respondent Nos. 1 & 2 shall be at liberty to proceed with the Artha Jari Case.

Let the matter be placed in the daily cause list under the column "For hearing".