

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

Writ Petition No. 5536 of 2021

In the matter of:

An application under article 102 (2) of the
Constitution of the People's Republic of
Bangladesh.

-And-

In the matter of:

Nur and Nahar Properties Limited
represented by its Managing Director and
another.

..... Petitioners

-Versus-

Bangladesh Bank represented by the
Governor and others.

None appears

. . . For the petitioners.

Mr. Md. Touhidul Hasan, Advocate

. . . For the respondent No. 4.

Present:

Mr. Justice J. B. M. Hassan

and

Mr. Justice Razik Al Jalil

Heard on 05.11.2023 and Judgment
on 06.11.2023.

J. B. M. Hassan, J.

The petitioners obtained this Rule Nisi in the following terms:

“Let a Rule Nisi be issued calling upon the respondent No.1,
Bangladesh Bank to show cause as to why a direction should not be
given to exercise its jurisdiction as contemplated under sections 45
and 49(1)(Cha) of the Bank Companies Act, 1991 to dispose of the
petitioners application 01.06.2021 (Annexure-H1) in connection
with the loan liabilities of the petitioners and/or pass such other or
further order or orders as to this Court may seem fit and proper.”

At the time of issuance of the Rule Nisi on 12.09.2021 this Court
passed the following interim order:

“Pending hearing of the Rule, let the operation of the CIB
report in connection with the loan liabilities of the petitioners

bye stayed for 03(three) months from the date subject to pay the unpaid installments from July to September, 2021 within the period of 03(three) months from date as per terms of reschedulement of loan dated 04.04.2021 (Annexure-G) failing which the Rule shall be discharged with the cost of Tk. 25,000/- (Taka Twenty-five thousand).”

None appears on behalf of the petitioners when the matter is taken up for hearing.

However, at the very outset, Mr. Md. Touhidul Hasan, learned Advocate for the respondent No. 4-Bank submits that the writ petitioners did not comply with the Court’s order.

In view of above, the Rule Nisi is discharged with cost at Tk. 25,000/- in terms of the order dated 12.09.2021.

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

Razik Al Jalil, J

I agree.