IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(Special Original Jurisdiction)

WRIT PETITION NO. 2552 OF 2011

In the matter of:

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

And

In the matter of:

Human Rights and Peace for Bangladesh (HRPB) represented by the Secretary of the Executive Committee and another.

… Petitioners

-Versus-

The Secretary, Ministry of Environment and Forest, Government of the People's Republic of Bangladesh and others

… Respondents

Mr. Manzill Murshid, Senior Advocate with
Mr. Sanjoy Mandal and
Ms. Nasrin Sultana, Advocates

…For the petitioners

Mr. Mohammad Mohsin Kabir, D.A.G with
Mr. Mostafizur Rahman (Tutul), A.A.G
Mr. Md. Moniruzzaman, A.A.G and
Ms. Sonia Tamanna, A.A.G

…For the respondent nos. 7

Heard on: 30.07.2025
Judgment delivered on: 03.08.2025.

Present:

Mr. Justice Md. Mozibur Rahman Miah
And
Mr. Justice Md. Bashir Ullah

Md. Bashir Ullah, J.

On an application under Article 102 of the Constitution filed by Human Rights and Peace for Bangladesh and one Advocate Md. Aklas Uddin Bhuiyan as a public interest litigation, a Rule *Nisi* was issued calling upon the respondents to show cause as to why a direction should not be given upon the respondents to protect the Gomati river at Cumilla District from encroachment and earth filling and why the respondents should not be directed to take steps for dredging the said river and remove all permanent and temporary structure made within the Gomati river as construction and filling earth in the river are continued 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, an ad-interim order was passed directing the respondent Nos. 7 and 14-18 to demarcate the original territory of the Gomati river at Cumilla District through a survey by a special team and submit the report within 2 months from the date of receipt of the copy of the order through the learned Attorney General for Bangladesh before this Court and further the respondent Nos.7 and 9-19 are directed to take immediate appropriate steps to stop further encroachment, earth filling, construction of temporary/ permanent structure in the area of Gomati river at Cumilla District within 1(one) month from date of submissions of report.

The relevant facts leading to issuance of the Rule are that the petitioner no.1 is Human Rights and Peace for Bangladesh (hereinafter,

HRPB) a non-profit registered organizations dedicated to promoting and protecting the rights of citizens, providing legal aid to underprivileged individuals, raising awareness about fundamental rights, and undertaking initiatives for environmental protection. The organizations also takes legal action against activities that degrade the environment. The petitioner no.2 is the publicity secretary of the executive committee of HRPB and a practising Advocate of this Court.

On 23.01.2011, a report was published in a daily newspaper, namely 'Daily Inqilab', stating that various parts of the Gomati river were being illegally encroached upon, earth-filled and subjected to the construction of both temporary and permanent structures by the interested quarter. It was further reported that the concerned authorities had remained inactive, thereby failed to discharge their statutory duties. Consequently, the Gomati river was reportedly at risk of losing its natural course and existence, thereby posing a serious threat to the surrounding environment and ecosystem. It was also published in the report that the interested quarter occupied the river and created an obstruction to the normal movement of the river. A similar report was previously published in 'Daily Prothom Alo' on 28.08.2009.

The alleged encroachments, earth-filling and structural developments within the territory of the Gomati river obstructed the natural flow of the river, thereby significantly damaged the ecological balance of the region.

It is stated that the thousands of people residing in Cumilla District are dependent on the source of water from the Gomati river. In

addition, river-based transport systems operating along the river contribute significantly to the local transportation infrastructure. Moreover, the main source of water for the cultivation of the area is the Gomati river. However, continuous encroachment, earth filling and unauthorised building of structures are causing gradual narrowing of the river, adversely impacting agriculture and the lives of local citizens. The river is playing an effective role in protecting the environment. But due to illegal acts of the law violators, the above-mentioned river could not play an effective role in the environment.

In light of the foregoing, the respondents are legally obligated to protect the Gomati river, in accordance with law. The duty and responsibility vested upon the respondents to serve the people and initiate lawful steps and the respondents are also duty-bound to obey the provisions of law. But the respondents have failed to perform the duties and responsibilities vested upon them and also failed to protect the above-mentioned river from encroachment, earth filling and occupation. Under section 7 of the Environment Conservation Act, 1995, the concerned authority is empowered to direct any person responsible for causing damage to the ecosystem to adopt corrective measures. Due to the encroachment, earth filling and unauthorised construction in the Gomati river the nature of the river is going to be changed, which is not only illegal but a punishable offence under the provisions of law.

Against this backdrop, HRPB and one Mr. Advocate Md. Aklas Uddin Bhuiyan filed this instant writ petition seeking direction upon

the respondents to stop encroachment, earth filling and construction, temporary and permanently within the territory of the Gomati river at Cumilla District. The petitioners have further sought a direction to remove all illegal structures from the Gomati river.

The respondent No. 7 contested the Rule by filing an affidavit-in-opposition, stating that in compliance with a prior direction of this Court, a five member committee was constituted to demarcate the actual area of the Gomati river. Subsequently, local investigations were carried out at the Upazilla level by *Kanungos*, Surveyors and Union Assistant Land Officers. Pursuant to the demarcation process, the Upazila Nirabahi Officers (UNOs) of the Adarsha Sadar, Debidder and Muradnagar Upazilas reported that no illegal encroachments were found within their respective jurisdictions of the Gomati river. The UNO of Chandina Upazilla reported that there is no existence of the Gomati river in his administrative territory. The UNO, Burichang, however, reported that on the eastern side of *Beri Badh* of the Gomati river under Gobindapur Mouza, Union- Pirzatrapur under Burichang Upazilla, there are 39 (thirty-nine) illegal encroachments by unauthorised persons. The UNO, Burichang also reported that there are eight (08) illegal encroachments by unauthorised persons in the Mithilapur Mouza under Sholonol Union. The UNO, Daudkandi, also reported two (02) such illegal encroachments within the area of the Gomati river.

It is further stated that eviction against illegal encroachments are being conducted continuously. A report dated 27.07.2025, submitted by

the Executive Engineer, Water Development Division, Cumilla confirms that operations against encroachment, earth-filling and unauthorised structures are being carried out regularly and thus the respondents have been discharging their duties diligently in accordance with law.

It is further stated that the media reports are not conclusive evidence of the alleged facts. The respondents contend that the petitioners, relying solely on these reports published in 'the Daily Inqilab' without proper verification, have misconstrued the actual state of affairs, and true facts and that the Rule is liable to be discharged.

It is stated that there is currently no encroachment in the main course of the Gomati river. There are some illegal encroachments, structures in the acquired land of the Water Development Division which consequently have been evicted by the authority with due diligence in a continuous process. The concerned authorities are always active and taking action plans against the illegal encroachments and evicting their illegal structures. These operations remain active and have not been suspended. Hence, the Rule is without merit and is liable to be discharged.

Mr. Manzill Murshed, the learned senior Advocate appearing on behalf of the petitioners submits that thousands of people residing in Cumilla District are depending on the source of water from the Gomati river. Not only that some 'river transports' based on the above-mentioned river are playing a great role in the transport sector.

Moreover, the main source of water for the cultivation of the area is the Gomati river but due to continuous encroachment, earth filling and construction of building in the above-mentioned river, day by day makes losing its width and affecting the cultivation and life of the citizens. The river is playing an effective role in protecting the environment. But due to illegal acts of the law violators, the above-mentioned river could not play an effective role in the environment. Most of the respondents are experienced public servants and are very much aware of the rules and laws of the land. The respondents are aware of the duties vested upon them but failed to perform to protect the Gomati river.

He further contends that the duty and responsibility vested upon the respondents to serve the people and initiate lawful steps and they are also duty-bound to obey the provisions of law. But the respondents have failed to perform the duties and responsibilities vested upon them and by way of violating the provisions of law the earth filling, encroachment are continuing in Gomati, which is illegal. Hence, a direction may be given to the respondents.

Mr. Murshid further submits that the environment is being continuously endangered and threatened by various illegal activities by such filling up of the Gomati river. The main causes for environmental degradation are unauthorised filling up and structure building in the river around the Gomati. Taking advantage of the silence of the concerned authority, the actions of the encroachment, earth filling and making temporary and permanent structural building in the Gomati

river at Cumilla District is continuing and as a result, the environment is being destroyed and as such, the respondents are required to be directed to protect the river in accordance with law. With these submissions, the learned counsel finally prays for making the Rule absolute.

Per contra, Mr. Md. Moniruzzaman, the learned Assistant Attorney General appearing for the respondent nos. 7, the Deputy Commissioner, Cumilla takes us through the Affidavit-in-Opposition and the connected materials on record and contends that upon receiving the direction of the Court the Deputy Commissioner, Cumilla constituted a committee for demarcating the actual area of the Gomati river. Thereafter, a local investigation was carried out in each Upazilla by the *Kanungo*, Surveyor and Union Assistant Land Officer. He admitted that, under Gobindapur Mouza, Burichang Upazilla, there are 39 (thirty-nine) illegal encroachments and there are eight (08) illegal encroachments by unauthorised persons in the Mithilapur Mouza under Sholonol Union and there are two (02) illegal encroachments by unauthorised persons in Daudkandi.

He further submits that on 28.07.2025, the respondent no. 07 issued a memo reporting the Solicitor Wings for compliance with earlier order of this Court regarding ongoing actions concerning illegal structures along the riverbanks of the Gomati river. In the report, it is stated that there is a continuous process of eviction operation which is being carried out against the illegal encroachments. On 27.07.2025, the Executive Engineer, Cumilla, Water Development Division, Cumilla

submitted a report wherein he clearly stated that the actions against illegal encroachment, earth filling and temporary and permanent structures have been carried out regularly. The respondents have been discharging their duties diligently in accordance with law and as such the Rule is liable to be discharged.

The learned Assistant Attorney General next submits that there are currently no illegal encroachments in the main course of the Gomati river. The concerned authorities are always active and taking action plans against the illegal encroachers to evict illegal structures. This is an ongoing process and this action has not been stopped or postponed to date. With these submissions, the learned Assistant Attorney General prays for discharging the rule.

We have considered the submissions advanced by the learned counsel for the petitioners and the learned Assistant Attorney General for the respondents and perused the writ petition, affidavit-in-opposition filed thereto carefully.

Rivers are the lifeblood of Bangladesh. They play an indispensable role in ecology, economy and daily life of the nation. They are primary sources of irrigation, ensuring agricultural productivity and food security. They are also a vital source of fish and drinking water. They facilitate trade and the economy. They are serving as important transportation routes for people and goods. They play an important role in maintaining ecological balance specifically, they play a key role in the water cycle absorbing rainwater and surface runoff, replenishing groundwater, and sustaining wetlands. Rivers play a

crucial role in regulating climates by influencing temperature and humidity. However, despite their significant importance, rivers in Bangladesh are facing tremendous threats from pollution, (particularly from industrial effluents, agricultural runoff and plastic waste), encroachment and reduced water flow. So, effective river management is imperative to mitigate these challenges and ensure the long-term socio-economic and environmental well-being of this country. In this background, this writ petition has been filed by the petitioners seeking appropriate directions to safeguard the Gomati river from unlawful encroachments and environmental degradation.

Considering the paramount importance of rivers in the ecological and socio-economic context of Bangladesh, this Court in the case of the ***Human Rights and Peace for Bangladesh Vs. Bangladesh*** in the Writ Petition No. 13989 of 2016 declared the Turag river a “legal person’, ‘legal entity’ and ‘living entity’ thereby affording it legal rights and protective under law. The legal status was extended to all rivers across Bangladesh.

Upon perusal of the Affidavit-in-Opposition filed by Respondent no.7, the Deputy Commissioner, Cumilla, it appears that he sent a letter to the Learned Solicitor, Ministry of Law, Justice and Parliamentary Affairs, Dhaka to apprise of the current status of the eviction activities undertaken to remove illegal encroachments from the banks of Gomati river under memo no. 05.20.1900.016.53.001.23-970, dated 28.07.2025 which is reproduced below for convenience:

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
জেলা প্রশাসকের কার্যালয়, কুমিল্লা
এস.এ শাখা
www.comilla.gov.bd

স্মারক নম্বর-০৫.২০.১৯০০.০১৬.৫৩.০০১.২৩-৯৭০ তারিখ: ১৩ শ্রাবণ ১৪৩২
২৮ জুলাই ২০২৫

বিষয় : মহামান্য সুপ্রিম কোর্টের হাইকোর্ট বিভাগের রীট পিটিশন নং-২৫৫২/১১ এর গৃহীত কার্যক্রম সম্পর্কে অবহিত করণ।

সূত্র: (ক) মহামান্য সুপ্রিম কোর্টের হাইকোর্ট বিভাগের রীট পিটিশন নং ২৫৫২/১১ এর ২০/০৩/২০১১ তারিখে জারীকৃত রুল
(খ) এ কার্যালয়ের স্মারক নম্বর:০৫.২০,১৯০০,০১৬.৫৩.০০১,২৩.৮২৮ তারিখ: ২৪/১০/২০২৪ খ্রিস্টাব্দ
(গ) এ কার্যালয়ের এস.এ শাখার স্মারক নম্বর নম্বর : ০৫.২৯৫,০৪৯,১৬,০০,০০০১(২), ২০১১-২৭২২ তারিখ: ২৪/৭/২০১১ খ্রিস্টাব্দ
(ঘ) পানি উন্নয়ন বোর্ড, কুমিল্লার স্মারক নম্বর: ৯৮৯ তারিখ: ২৭/০৭/২০২৫ খ্রিস্টাব্দ।

উপর্যুক্ত বিষয় ও সূত্রের পরিপ্রেক্ষিতে জানানো যাচ্ছে যে, কুমিল্লা জেলার গোমতী নদীর তীরবর্তী আদর্শ সদর উপজেলাধীন ৫৭৫ টি এবং ব্রাহ্মণপাড়া উপজেলাধীন ৮৮ টিসহ মোট ৬৭৩ টি অবৈধ দখলদারের তালিকা প্রণয়ন করা হয়। গোমতী নদীর উপর অবৈধ দখলদারদের উচ্ছেদের নিমিত্ত বরাদ্দ চেয়ে সূত্রোক্ত 'খ' স্মারকে বিভাগীয় কমিশনার, চট্টগ্রাম বরাবর পত্র প্রেরণ করা হয় কিন্তু এখাতে অদ্যাবধি বরাদ্দ পাওয়া যায়নি।

০২। নির্বাহী প্রকৌশলী, পানি উন্নয়ন বোর্ড, কুমিল্লা সুত্রোক্ত 'ঘ' স্মারকে জানান গোমতী নদীর উভয় পাড়ে বাংলাদেশ পানি উন্নয়ন বোর্ডের অধিগ্রহনকৃত ভূমি হতে অবৈধ স্থাপনা উচ্ছেদ কাজ নিয়মিতভাবে পরিচালনা করা হচ্ছে। ১৫ মে, ২০২৫ খ্রিঃ তারিখ মুরাদনগর উপজেলার ধনিরামপুরে ২০ টি অবৈধ স্থাপনা উচ্ছেদ করা হয়। ১৮ জুন এবং ১৯ জুন, ২০২৫ তারিখে আদর্শ-সদর-উপজেলার আড়াইগুড়া, দুর্গাপুর-ও-আমতলীতে ১৪৫-টি অবৈধ স্থাপনা উচ্ছেদ করা হয়। এছাড়া ২৭ জুলাই, ২০২৫ তারিখে জেলা প্রশাসনের নেতৃত্বে উচ্ছেদের পূর্ব প্রস্তুতি হিসাবে গোমতী নদীর বাম বাঁধে জগন্নাথপুর হতে ঝাঁকুনিপাড়া পর্যন্ত ৫৫ টি অবৈধ স্থাপনার বৈদ্যুতিক সংযোগ বিচ্ছিন্ন করা হয়। এছাড়া, গোমতী নদী পুনঃখননের জন্য ২০১৮ খ্রিঃ এ একটি প্রকল্প প্রস্তাব পানি সম্পদ মন্ত্রণালয়ের মাধ্যমে পরিকল্পনা কমিশনে দাখিল করা হয়। কিন্তু একই সময়ে বি.আই.ডব্লিউ.টি.এ কর্তৃক একই প্রকল্প প্রস্তাব দাখিল করায় দ্বৈততার কারনে পানি উন্নয়ন বোর্ড কর্তৃক দাখিলকৃত প্রকল্প প্রস্তাব ফেরত প্রদান করা হয়। কিন্তু দীর্ঘ সময় অতিবাহিত হওয়ার পরও গোমতী নদী পুনঃখননের কাজ শুরু না হওয়ায় নতুন প্রকল্প তৈরীর পূর্বশর্ত হিসাবে ১৯ মার্চ, ২০২৪ খ্রিঃ তারিখ "গোমতী নদীর সমন্বিত পানি ব্যবস্থাপনা এবং বিদ্যমান প্রকল্পসমূহের পুনর্বাসনের নিমিত্ত সম্ভাব্যতা সমীক্ষা" শীর্ষক সমীক্ষা প্রকল্পের Proposal for Feasibility Study (PFS) মন্ত্রণালয়ে দাখিল করা হয়েছে।

০৩। গোমতী নদীর অবৈধ দখল উচ্ছেদের জন্য পানি উন্নয়ন বোর্ড, কুমিল্লা, পরিবেশ অধিদপ্তর, কুমিল্লা এবং সংশ্লিষ্ট উপজেলা নির্বাহী অফিসারগণের সমন্বয়ে সার্বক্ষণিক মনিটরিং এবং নিয়মিত উচ্ছেদ অভিযান পরিচালনা করা হচ্ছে। জেলা প্রশাসনের প্রতিনিধি এবং পানি * উন্নয়ন বোর্ড, কুমিল্লা এর যৌথ উদ্যোগে গোমতী নদীর সীমানা চিহ্নিতকরণের কাজ চলমান রয়েছে।

০৪। ইহা মহামান্য সুপ্রিমকোর্টের হাইকোর্ট বিভাগকে অবহিতকরণের লক্ষ্যে মহোদয় বরাবর প্রেরণ করা হলো।

সংযুক্তি: বর্ণনামতে ৬৭ (সাতষট্টি) পাতা।

বিজ্ঞ সলিসিটর
আইন ও বিচার বিভাগ (সলিসিটর উইং)
সলিসিটর কার্যালয়
সুপ্রিমকোর্ট এলাকা, ঢাকা।

স্বা/-
মোঃ আমিরুল কায়ছার
জেলা প্রশাসক
কুমিল্লা
ফোন: ০২৩৩৪৪০০৩০১
ইমেইল: dccomilla@mopa.gov.bd

It appears from the above-mentioned memo that a total of 673 illegal encroachments were identified- (575 in Adarsha Sadar Upazilla, and 88 in Bramhanpara Upazilla of Cumilla District). On 15.05.2025,

20 illegal structures were evicted from Dhanirampur, Muradnagar. Subsequently, on 18 and 19-06-2025, 145 encroachments were removed from Araiora, Durgapur and Amtali in Adarsha Sadar Upazilla. On 27.07.2025, a team disconnected the electricity line of 55 encroachers before evicting them from Jagannathpur to Jakunipara. In total, 165 illegal encroachments have been removed thus far. However, it appears that 508 encroachments still persist and require immediate removal to protect the ecological integrity and navigability of the Gomati river. Hence, the Deputy Commissioner should be directed to continue the eviction programme with utmost importance.

It also appears that the Deputy Commissioner, Cumilla sent a requisition to the Divisional Commissioner, Chottogram seeking allocation of funds to conduct the eviction operation but no funds have been sanctioned to date. As such, the Divisional Commissioner, Chattagram and the respective authorities should be directed to allocate the necessary funds for the said eviction operation expeditiously.

It is transpired from the Affidavit-in-Opposition that the Executive Engineer, Cumilla Water Development Division, Bangladesh Water Development Board submitted a Report to the Deputy Commissioner, Cumilla under memo no. 989 dated 27.07.2025 which is reproduced below:

BANGLADESH WATER DEVELOPMENT BOARD

নির্বাহী প্রকৌশলীর কার্যালয়।
কুমিল্লা পানি উন্নয়ন বিভাগ
বাপাউবো, পানি ভবন,
ঝাউতলা, কুমিল্লা।

বাংলাদেশ পানি
উন্নয়ন বোর্ড

Office of the Executive Engineer
Cumilla Water Development
Division
BWDB Pani Bhaban,
Jhawtala, Cumilla.
Email:
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প্রতিবেদন

গোমতী নদীর উভয় পাড়ে বাংলাদেশ পানি উন্নয়ন বোর্ডের অধিগ্রহনকৃত ভূমি হতে অবৈধ স্থাপনা উচ্ছেদ কাজ নিয়মিতভাবে পরিচালনা করা হচ্ছে। ১৫ মে, ২০২৫ খ্রিঃ তারিখ মুরাদনগর উপজেলার ধনিরামপুরে ২০ টি অবৈধ স্থাপনা উচ্ছেদ করা হয়। ১৮ জুন এবং ১৯ জুন, ২০২৫ খ্রিঃ তারিখ আদর্শ সদর উপজেলার আড়াইওড়া, দূর্গাপুর ও আমতলীতে ১৪৫ টি অবৈধ স্থাপনা উচ্ছেদ করা হয়। এছাড়া ২৭ জুলাই ২০২৫ খ্রিঃ তারিখ উচ্ছেদের পূর্ব প্রস্তুতি হিসাবে গোমতী নদীর বাম বাঁধে জগন্নাথপুর হতে ঝাঁকুনিপাড়া পর্যন্ত ৫৫ টি অবৈধ স্থাপনার বৈদ্যুতিক সংযোগ বিচ্ছিন্ন করা হয়।

গোমতী নদী পুনঃখননের জন্য ২০১৮ খ্রিঃ এ একটি প্রকল্প প্রস্তাব পানি সম্পদ মন্ত্রণালয়ের মাধ্যমে পরিকল্পনা কমিশনে দাখিল করা হয়। কিন্তু একই সময়ে বি আই ডব্লিউ টি এ কর্তৃক একই প্রকল্প প্রস্তাব দাখিল করায় দ্বৈততার কারনে পানি উন্নয়ন বোর্ড কর্তৃক দাখিলকৃত প্রকল্প প্রস্তাব ফেরত প্রদান করা হয়। কিন্তু দীর্ঘ সময় অতিবাহিত হওয়ার পরও গোমতী নদী পুনঃখননের কাজ শুরু না হওয়ায় নতুন প্রকল্প তৈরীর পূর্বশর্ত হিসাবে ১৯ মার্চ, ২০২৪ খ্রিঃ তারিখ "গোমতী নদীর সমন্বিত পানি ব্যবস্থাপনা এবং বিদ্যমান প্রকল্পসমূহের পুনর্বাসনের নিমিত্ত সম্ভাব্যতা সমীক্ষা" শীর্ষক সমীক্ষা প্রকল্পের Proposal for Feasibility Study (PFS) মন্ত্রণালয়ে দাখিল করা হয়েছে।

(খান মোহাম্মদ ওয়ালিউজ্জামান)
নির্বাহী প্রকৌশলী
কুমিল্লা পানি উন্নয়ন বিভাগ
বাপাউবো, কুমিল্লা।

It appears from the above-mentioned Report that Bangladesh Water Development Board submitted a Proposal for Feasibility Study (PFS) on 19.03.2024 to respondent no. 4-the Ministry of Water Resources, Bangladesh Secretariat, Dhaka for the dredging of the Gomati river but no action has yet been taken to dispose of the same.

In ***City Sugar Industries Ltd. and others Vs. Human Rights and Peace for Bangladesh***, reported in 62 DLR(AD)(2010)428, the Appellate Division held:

> “We also find that the public interest lies in protecting the rivers from encroachments and pollution by all means. The maxim ‘Salus Papuli

> Suprema lex' should be put in the imperative i.e. 'Salus Papuli Supreme Lex esto' let the safety of the people be the Supreme Law."

The principles settled in the case of ***Human Rights and peace for Bangladesh and others Vs. Bangladesh,*** reported in 29 BLD (HCD) 479, ***City Sugar Industries Ltd. Vs. Human Rights and Peace for Bangladesh***, reported in 62 DLR (AD)(2010)428, and ***Human Rights and peace for Bangladesh vs. Bangladesh*** (judgment dated 14.03.2018 passed in Writ Petition No. 4242 of 2009) are squarely applicable in the facts and circumstances of this case.

So, in view of the facts and circumstances and *ratio* mentioned above we are of the view that justice will be best served if the rule is disposed of with directions to the concerned authorities.

The Deputy Commissioner, Cumilla-respondent no.7 is directed to evict the rest 508 illegal occupiers who encroached the banks of the Gomati river, Cumilla by using the Local Resources Fund (LR Fund) within 6 (six) months on receipt of the copy of the judgment and order.

The Respective respondents are directed to allocate the required funds to evict the rest 508 illegal occupiers who encroached the bank of the Gomati river, Cumilla within 3 (three) months on receipt of the judgment and order.

The Ministry of Water Resources, Bangladesh Secretariat, Dhaka (respondent no. 4) is directed to dispose of the Proposal for Feasibility Study (PFS) submitted by the Bangladesh Water Development Board

on 19.03.2024 for dredging the Gomati river within 3 (three) months on receipt of the judgment and order.

The respondent nos. 8 and 14 to18 are directed to monitor regularly to avoid further encroachment, earth filling and building any kind of structures in the territory of the Gomati river at Cumilla, violating the provisions of law.

Accordingly, the rule is disposed of with the above directions, however, there is no order as to costs.

Communicate the judgment and order to the respondents forthwith.

Md. Mozibur Rahman Miah, J.

I agree.

Md. Ariful Islam Khan
Bench Officer