

District: Dhaka

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

Present

**Mr. Justice Sardar Md. Rashed Jahangir**

**F.M.A. No. 27 of 2022**

In the matter of :

Mohd. Anowarul Kabir

...Appellant

-Versus-

Southeast Bank Limited and others

...Respondents

No one appears

...For the appellant

Mr. Hasubul Huq, Advocate

...For the respondent No. 1

**Judgment on: 09.01.2025**

The instant First Miscellaneous Appeal is directed against the order No. 53 dated 07.10.2021 passed by the Artha Rin Adalat, Fourth Court, Dhaka in Artha Rin Suit No. 161 of 2016 rejecting the application for recalling the PW-1 for cross-examination filed on behalf of the defendant No. 5.

No one appears for the appellant to pursue the First Miscellaneous Appeal.

Learned Advocate for the respondent No. 1 submits that no interlocutory order of the Artha Rin Adalat can be challenged in

the form of appeal or revision under section 44 of the Artha Rin Adalat Ain, 2003 and as such the present appeal is not maintainable.

This Court has no option but to dismiss the appeal for default.

In the result, the appeal is dismissed.

The Artha Rin Adalat is directed to dispose of the Artha Rin Suit No. 161 of 2016 as early as possible.

Accordingly, the Rule is also discharged, the order of stay granted earlier is hereby recalled.

Communicate the judgment and order at once.