

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

Present:
Justice Sheikh Abdul Awal
And
Justice Md. Mansur Alam

Writ Petition No. 8426 of 2006
In the matter of:

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

And

In the Matter of:
Anisur Rahman and others.

..... Petitioners.

-Versus-

Government of Bangladesh represented by
the Secretary, Ministry of Establishment
and another.

.....Respondents.

None appears

..... For the Petitioners

Mr. Md. Shamsul Islam, Advocate

For the respondent No.2

Mr. Md. Bodiuzzaman Tapadar, D.A.G
with

Ms. Salma Sultana (Soma), D.A.G with

Mr. Md. J.R. Khan Robin, A.A.G with

Mr. A.B.M. Ibrahim Khalil, A.A.G with

Mr. Md. Manowarul Islam Uzzal, A.A.G

... For the Government-Respondents

Judgment on 04.08. 2025.

Sheikh Abdul Awal, J:

On an application under Article 102 of the Constitution of
the People's Republic of Bangladesh a Rule Nisi was issued

calling upon the respondents to show cause as to why the respondents should not be directed to absorb/appoint the petitioners to their respective nominated posts of Security Supervisor, Arm's Security Trooper and M.L.S.S. under the respondent No.2, Chairman, Civil Aviation Authority, Government of Bangladesh, as per nomination issued by the Ministry of Establishment as contained in "Annexure-E" and/or pass such other or further order or orders as to this Court may seem fit and proper.

No one appears to press the Rule Nisi on repeated calls.

Mr. Md. Shamsul Islam, the learned Advocate appearing for the respondents No.2 after placing an application for discharging the Rule submits that in the facts and circumstances of the present Rule has become in-fructuous and as such, the Rule may kindly be discharged as being in-fructuous.

Having heard the learned Advocate for the respondent No.5 and the learned Deputy Attorney General, perused the writ petition and other materials on record.

It is contended in the application that this writ petition was sworn by the petitioner No. 1 on 30.08.2006 on behalf of the petitioner Nos. 2-42, at the time of swearing affidavit his age was 42 years and Mujibnagar Government was formed on 17.04.1971 when the age of the petitioner No. 1 was 6 years 7 months and 17 days only.

Considering the facts and circumstance of the case together with the above statements made in paragraph No.4 of the application, we are of the view that instant Rule has become in-fructuous.

In the result, the Rule Nisi is discharged as being infructuous.

Communicate this order at once.

Md. Mansur Alam, J:

I agree.