

IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(ADMIRALTY JURISDICTION)

Present:

Mr. Justice Sikder Mahmudur Razi

Admiralty Suit No. 62 of 2022

IN THE MATTER OF:

Panmark Impex PIE Ltd.
... Plaintiff.

-Vs-

The Vessel A.M. Accord: (IMO: 9166132)
and others.
....Defendants.

With

Admiralty Suit No. 47 of 2022

Reliance Shipping & Logistic Limited
... Plaintiff.

-Vs-

The Vessel A.M. Accord: (IMO: 9166132)
and others.
....Defendants.

Mr. M. Belayet Hossain, Sr. Advocate with
Mr. M. Shubho Shattha Rafiq, Adv.
...For the applicant.

The 2nd April, 2026

These 2(two) suits have appeared in the list as item No. 3 for passing necessary order.

Pursuant to the Order of this Court dated 31.03.2026, and in compliance with the directions thereof, Mr. Md. Tauhiduzzaman, Assistant Registrar (Original Jurisdiction) and Substitute Marshal of the High Court Division of the Supreme Court of Bangladesh, conducted an inquiry into the veracity of the allegations brought by the auction purchaser-applicant concerning the vessel AZ QINGDAO (flat deck dumb barge).

During the course of the inquiry, the learned Substitute Marshal recorded statements from seven witnesses, including the applicant, two members of the police force—namely, one Inspector, Mr. Sonaton Chandra Sarker, and one Constable, Mr. Md. Anowar Hossain—two labourers, and two local individuals. He also examined relevant documents and verified the allegations brought by the auction purchaser. Upon conclusion of the inquiry, the learned Substitute Marshal submitted his report before this Court today, the relevant portion of which is reproduced below:

“Analyzing the statement of the applicant Mr. Kazi Emdadul Haque, 02 (two) Police force, among them 01 (one) Inspector Mr. Sonaton Chandra Sarker and 01 (one) constable Mr. Md. Anowar Hossain, 02 (two) labour and 02 (two) local individuals, I found that on the very date i.e 17.03.2026 when the vessel AZ QINGDAO (flat deck dumb barge) approached near Hakim Uddin Launch Ghat at around 11 A.M. when about 30 miscreants backed by local ruling political party at first obstructed the navigation of the vessel under the leadership of the local politician Mr. Riaz Sarder (President, Hasannagar Union Sejsa Sebok Dol), Jubodol Leader Mr. Fokrul and Mr. Refaz Hawlader, owner of the Hakim Uddin Launch Ghat forced to anchor the vessel near the Hakim Uddin Launch Ghat. They beaten up the labour of the vessel and snatched their mobile phone along with other instruments from the vessel and deployed their own watchman over the vessel.

Through the inquiry, it appears to me that the miscreants caused those obstacles to the safe navigation of the vessel AZ QINGDAO (flat deck dumb barge) under the indirect

shelter of the local Member of Parliament of Bhola-2 (Constituency No. 116).”

In view of the findings of the learned Substitute Marshal, which establish the genuineness and veracity of the allegations brought by the auction purchaser-applicant in the application dated 31.03.2026, it appears that, for the proper administration of justice and to secure the ends of justice, necessary directions, as prayed for, ought to be passed to ensure the safe navigation of the vessel in question to its intended destination.

It is noted that the vessel has been sold through a judicial auction pursuant to the Order of this Court, and a Sale Confirmation Certificate has duly been issued. Possession of the vessel has already been delivered to the auction purchaser. Accordingly, all concerned authorities are under a constitutional obligation to act in aid of the Orders of this Court. Since the vessel remains within the territorial jurisdiction of this Court, the obligation of delivery of possession does not conclude with mere physical delivery; rather, it extends until the vessel safely reaches its final destination.

Accordingly, the Deputy Commissioner of districts Bhola, Barishal, Chandpur, Munshiganj and Dhaka; the Deputy Inspector General of River Police; the Superintendent of Police of districts Bhola, Barishal, Chandpur, Munshiganj and Dhaka; the Zonal Commander, South Zone, Bangladesh Coast Guard, Bhola and the Zonal Commander, Bangladesh Coast Guard, Dhaka Zone; the Officer-in-Charge, Borhanuddin Police

Station, Bhola are hereby directed to ensure uninterrupted and peaceful navigation of the vessel to its final destination, namely Bismillah Dockyard and Engineering Workshop, Hasnabad, South Keraniganj, Dhaka-1311. Any obstruction or hindrance in this regard from any quarter shall be dealt with seriously.

Additionally, in the event that the safe navigation of the vessel is impeded in any manner whatsoever, the law enforcement agencies are at liberty to take appropriate legal action against the persons responsible for such obstruction.

Communicate the order to all concerned through Special Messenger of this court at the cost of the auction purchaser-applicant. The Marshal of this court is also directed to render all necessary assistance in this regard as and when necessary.

(Sikder Mahmudur Razi, J:)