IN THE SUPREME COURT OF BANGLADESH HIGH COURT DIVISION (CIVIL REVISIONAL JURISDICTION) Civil Revision No. 1045 of 2023 In the matter of: Continental Homes Ltd. and another ...Petitioners. -*Vs*-Md. Abul Hasem and others.Opposite parties. Mr. Md. Yousuf Ali, Adv. ...For the petitioners. Mr. Mohammad Raihanul Mustafa, Adv. ... For the opposite parties. Heard on: 22.012025 And Judgment on: The 27th January, 2025

In an application under section 115(1) of the Code of Civil Procedure, 1908 rule was issued calling upon the opposite party to show cause as to why the impugned judgment and order dated 01.02.2023 passed by the learned District Judge, Dhaka allowing the Arbitration Miscellaneous Case No. 441 of 2022 under section 12 of the Arbitration Act, 2001, and thereby, appointing Arbitrators on behalf of the parties for settlement of the dispute of the case through arbitration should not be set aside and/or pass such other or further order or orders as to this court may seem fit and proper.

I have heard the learned Advocates for the petitioner as well as opposite parties. I have perused the impugned judgment and order passed by the court below, perused the revisional application, ground taken thereon as well as necessary papers and documents annexed herewith.

<u>Present</u> Mr. Justice Mamnoon Rahman At the very outset both the parties agreed that if a sole Arbitrator is being appointed by this court they have no objection to that effect and both the parties unanimously suggested the name of Justice Moyeenul Islam Chowdhury to act as sole Arbitrator to resolve the issue in question.

Considering the facts and circumstances, Mr. Justice Moyeenul Islam Chowdhury, Former Judge, High Court Division of the Supreme Court of Bangladesh is appointed as sole Arbitrator to conduct the arbitration in question.

Accordingly, the instant rule is disposed of. The order of stay passed at the time of issuance of rule is hereby vacated.

Send down the L.C. Records to the concerned court below with a copy of the judgment immediately. Communicate the order at once.

(Mamnoon Rahman,J:)