

**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. 4089 of 2023

In the matter of:

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

And

In the Matter of:

A.K.M. Fazlul haque

..... Petitioner.

-Versus-

Government of Bangladesh represented by
the Secretary, Ministry of Liberation War
Affairs and others.

.....Respondents.

Mr. Mamunur Rashid Chowdhury, Advocate

..... For the Petitioner

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.

Heard and judgment on 24.08.2025

Sheikh Abdul Awal, J:

On an application under Article 102 of the Constitution
of the People's Republic of Bangladesh, this Rule Nisi was
issued calling upon the respondents to show cause as to why the

rejection of application dated 15.05.2014 (under D.G. No. DGI-139688) by the respondent Nos. 2 and 4 (Annexure-K and H) for recommending the name of the petitioner as a Freedom Fighter (মুক্তিযোদ্ধা) for inclusion in the Official Gazette should not be declared to have been done without lawful authority and is of no legal effect and as to why a direction should not be passed upon the respondents to pass necessary recommendation to include the name of the petitioner as a Freedom Fighter (মুক্তিযোদ্ধা) in the Official Gazette and/or such other or further order or orders passed as to this Court may seem fit and proper.

The short facts as stated in the writ petition that the petitioner is a valiant freedom fighter of the country, who took training and participated in the liberation war of Bangladesh and accordingly he obtained a training certificate from Camp-in-Charge of Bangalipur Reception Camp issued on 18.12.1971.

Mr. Mamunur Rashid Chowdhury, the learned Advocate appearing for the petitioner submits that since the petitioner fought for this country in the liberation war his name must be enlisted in the list of Freedom Fighter but the appellate authority of the Jatio Muktijoddha Council (JAMUKA) dismissed the appeal stating- “না মঞ্জুর” beyond the legal scope of law without assigning any reason whatsoever and as such, the impugned order is liable to be declared to have been passed without lawful authority and is of no legal effect.

Mr. Md. Bodiuzzaman Tapadar, the learned Deputy Attorney General, on the other hand, submits that save and except the training certificate there is nothing not record to

suggest that the petitioner participated in the liberation war of Bangladesh in 1971 and thereby appellate authority did not commit any illegality in dismissing the appeal of the petitioner.

Having heard the learned Advocate for the petitioner and the learned Deputy Attorney General and having gone through the writ petition, its annexures and other relevant documents as placed before this Court.

On scrutiny of the record, it appears that the petitioner only relying on a training certificate as evidence by “Annexure-G” to the writ petition applied for enlistment his name as Freedom Fighter. The appellate authority of Jatio Muktijoddha Council (JAMUKA) rejected his prayer stating- “না মঞ্জুর”

In the facts and circumstances of the case as revealed from the materials on record, we find no merit in this Rule.

In the result, the Rule is discharged. In the facts and circumstances of the case there will be no order as to costs.

Communicate this order.

Md. Mansur Alam, J:

I agree.