

**In the Supreme Court of Bangladesh  
High Court Division  
(Civil Revisional Jurisdiction)**

**Present:**

**Mr. Justice Md. Zakir Hossain**

**Civil Rule No.839 (Con) of 2022**

**In the matter of:**

An application under Section 5 of the  
Limitation Act, 1908.

-And-

**In the matter of:**

Bangladesh represented by the Deputy  
Commissioner, Tangail and others.

.....Petitioners

-Versus-

Md. Selim Mia

.....Opposite party

Mr. Md. Mozammel Haque, D.A.G with  
Mrs. Mahjabin Rabbani, A.A.G and  
Mrs. Yeshita Parvin, A.A.G

.....For the petitioners

Mr. Md. Shofiqul Islam, Advocate

..... For the opposite party.

**Heard and Judgment on: 29.05.2024**

**Md. Zakir Hossain, J:**

At the instance of the petitioners, the *Rule* was issued by this Court with the following terms:

*“Let a Rule be issued calling upon the opposite party to show cause as to why the delay of 779 days should not be condoned in filing revisional application and/or such other or further order or orders passed as to this Court may seem fit and proper.”*

Challenging the legality and propriety of the Judgment and decree dated 25.11.2014 passed by the learned Joint District Judge, 3<sup>rd</sup> Court, Tangail in Appeal No.218 of 2012 allowing the appeal upon reversal of those dated 25.10.2012 passed by the learned Assistant Judge, Gopalpur,

Tangail in Other Class Suit No.12 of 2012, the petitioners were constrained to file an application under Section 115(1) of the Code of Civil Procedure.

Being aggrieved by and dissatisfied with the aforesaid said judgment and decree of the appellate Court, the petitioners moved this Court along with the petition for condonation of delay of 779 days and obtained the aforesaid Rule.

Heard and perused the materials on record with care and due attention. On meticulous consideration of the petition, it transpires that the petitioners have reasonably and sufficiently explained the cause of delay; therefore, I am inclined to condone the same. Consequently, the Rule deserves to be made absolute to secure the ends of justice.

In the result, the Rule is made absolute, however, without passing any order as to costs.

The delay of 779 days in filing the revisional application is hereby condoned.

The office is hereby directed to place the revisional application to the concerned Bench within 10(ten) days from the date of receipt of the record of this case.

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**(Md. Zakir Hossain, J)**