

Writ Petition No. 5859 of 2023

Present :
Mr. Justice J.B.M. Hassan
And
Mr. Justice Razik Al Jalil

07.05.2024

Mr. Mohammad Ali Khan, Advocate
. . . For the writ petitioner.
Mr. Earul Islam, Advocate
. . . For the respondents No. 9-11.

The petitioner obtained the Rule Nisi in the following terms:

Let a Rule Nisi be issued calling upon the respondents to show cause as to why a direction should not be issued upon the respondents No. 1-6 to cancel the MPO and stay the process of absorption of the respondents No. 9-11 following the memo No. 37.00.0000.095.099.001.2022.105 (Annexure-E to the writ petition) and memo No. 37.00.0000.095.099.022.2022.106 dated 07.12.2022 issued by office of respondent No.1 (Annexure-F to the writ petition) and/or pass such other or further order or orders as to this Court may seem fit and proper.”

During pendency of the Rule by filing an affidavit, learned Advocate for the petitioner submit, that out of same incident relating to the subject matter of the Rule, the respondent No.9, namely, Md. Abdur Rakib has been convicted in trial under section 323 of the Panel Code and he is sentenced to suffer rigorous

imprisonment for 02(two) months and to pay a fine of Tk. 500.00 (five hundred).

On the other hand, Mr. Earul Islam, learned Advocate for the respondents No. 9-11 by filing affidavit contends that the respondent No.9 preferred criminal appeal No. 69 of 2024 and got interim order of stay and bail.

We have gone through the same.

Considering the facts and circumstances, the service of respondent No. 9 is hereby suspended until decision of the criminal appeal No. 69 of 2024. However, he will get the subsistence allowance in the meantime.

Let this order be communicated to the respondents No. 1-8.