

IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(CIVIL REVISIONAL JURISDICTION)

CIVIL REVISION No. 6654 OF 2023

In the matter of:

Syed Ahmod Asafuddullah Badsha.

....Petitioner.

Present
Mr. Justice Mamnoon Rahman

-Vs-
Mujibur Rahman and others.

....Opposite parties.

Mr. Mridul Datta, Adv.

...For the petitioner.

Mr. A.M. Amin Uddin, Sr. Adv. with

Mr. Chanchal Kumar Biswas, Ad.

...For the opposite party No. 1.

Heard & Judgment on: **The 27th May, 2024**

Mamnoon Rahman, J:

In an application under section 115(1) of the Code of Civil Procedure, 1908 rule was issued calling upon the opposite party Nos. 1-9 to show cause as to why the impugned Judgment and Order dated 24.8.2023 and 16.10.2023 passed by the Senior District Judge, Moulavibazar in Miscellaneous (Transfer) Case No. 16 of 2023 admitting the miscellaneous case and calling the record of the Money Appeal No. 4 of 2021 and Money Appeal No. 4 of 2022 from the Court of the Additional District Judge, 2nd Court, Moulvibazar should not be set aside and/or such other or further order or orders passed as to this Court may seem fit and proper.

The learned Advocate for the opposite party No. 1 at the very outset submits that considering the delay in the disposal of the Money

Appeal No. 4 of 2021 and Money Appeal No. 4 of 2022 he has no objection if both the appeals be transferred to any other court for quick disposal.

Considering the facts and circumstances, I am inclined to transfer the case to any other court only considering the quick disposal of the suit. Accordingly, let the Money Appeal No. 4 of 2021 and Money Appeal No. 4 of 2022 be transferred to the court of learned Additional District Judge, 2nd Court, Moulvibazar forthwith. The learned Additional District Judge, 2nd Court, Moulvibazar is directed to hear and dispose of both the appeals strictly on merit by applying its independent and judicial mind within 90(ninety) days from the date of receipt of the instant order without fail and without giving any adjournment to the parties. However, this order shall not affect the disposal of the case on merit.

With this observation and direction, the instant rule is disposed of.

Communicate the order, at once.

(Mamnoon Rahman,J:)