

IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION

(CIVIL REVISIONAL JURISDICTION)

Civil Revision No. 7220 of 2023

In the matter of:

Md. Tonmoy Ahmed.
...Petitioner.

-Vs-

Present
Mr. Justice Mamnoon Rahman

Most. Sharmin Khatun
....Opposite party.

None appears.
...For the petitioner.
Mr. Md. Aminul Haque Helal, Adv.
...For the opposite party.

Heard & judgment on: **The 24th April, 2024**

Today is fixed for passing necessary order.

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 20.07.2022 passed by the learned District Judge, Natore in Family Appeal No. 13 of 2022 partly allowing the appeal with modification and reversing the judgment and decree dated 26.01.2022 passed by the Family Court Sadar, Natore in Family Suit No. 27 of 2020 decreeing the suit, should not be set aside and/or pass such other or further order or orders as to this court may seem fit and proper.

The learned Advocate for the opposite party submits that at the time of issuance of rule this court directed the petitioner to pay Tk. 50,000/-(fifty thousand) within 30(thirty) days from date as well as Tk.

3000/-(three thousand) per month to be paid to the opposite party, in default, the rule shall stand discharged.

It transpires from the submissions as made by the learned Advocate for the opposite party that the petitioner failed to make the payment as directed by this court. It further transpires that this court at the time of issuance of rule granted bail to the petitioner for a period of 6(six) months.

As such, the rule itself is required to be discharged as per the aforesaid order. Hence, the instant rule is discharged and the petitioner is directed to surrender before the trial court within 15(fifteen) days from the date of receipt of the instant order without fail, in default, the trial court is directed to secure the arrest of the petitioner forthwith.

Communicate the order, at once.

(Mamnoon Rahman,J:)