

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

**Civil Revision No. 1161 of 2024**

**In the matter of:**

Md. Robiul Islam and others.

...Petitioners.

**-Vs-**

Farida Yeasmin and others.

....Opposite parties.

Mr. Zainul Abedin, Sr. Adv. with

Mr. J.K. Paul, Adv. with

Mr. Liton Acharjeea, Adv.

...For the petitioners.

Mr. Mohsen Rashid, Sr. Advocate with

Ms. Lutfun Kadir, Adv.

...For the opposite party No. 1.

**Present**  
Mr. Justice Mamnoon Rahman

Heard & Judgment on: **The 11<sup>th</sup> February, 2025**

In an application under section 115(1) of the Code of Civil Procedure, 1908 rule was issued calling upon the opposite party No. 1 to show cause as to why the impugned Order No. 8 dated 20.02.2024 passed by the learned Additional District Judge and Bankruptcy Court, Dhaka in Miscellaneous Appeal No. 240 of 2023 rejecting the application so far it relates to under Order XVI Rule 1 of the Code of Civil Procedure (Annexure-G) and another application under section 151 of the Code of Civil Procedure praying for staying operation of the order dated 10.07.2023 passed by the learned Joint District Judge, 2<sup>nd</sup> Court, Dhaka in Title Suit No. 519 of 2022 by non-speaking order should not be set aside and/or pass such other or further order or orders as to this court may seem fit and proper.

I have heard the learned Advocates for the petitioners as well as opposite party No. 1. I have perused the revisional application, ground taken thereon, application for passing necessary order to stay proceeding of Miscellaneous Appeal No. 240 of 2023, supplementary affidavit filed by the petitioners, as well as necessary papers and documents annexed herewith.

On perusal of the same, it transpires that admittedly a suit is pending in between the parties in the trial court since 2022. It further transpires that during pendency of the suit the present petitioners praying for calling of the record regarding examination of certain documents. It further transpires that though the petitioner-defendants filed an application but till today did not file any written statement.

In such circumstances, I am of the view that justice would be best served if a direction be given upon the trial court to proceed and dispose of the suit, expeditiously, as possible, within a fixed period allowing the petitioners to file an application for calling of the record regarding examination of certain documents after filing of the written statement.

Accordingly, the trial court is directed to hear and dispose of the suit being Title Suit No. 519 of 2022 strictly on merit by applying its independent and judicial mind expeditiously, as possible, within 31<sup>st</sup> July, 2025 without fail allowing the petitioners to file an application for calling of the record regarding examination of certain documents after filing of the written statement.

Till disposal of the suit by the trial court, the parties are directed to maintain status-quo in respect of possession and position of the suit property.

The trial court is further directed to inform this court about the disposal of the suit as directed, in writing, through the Registrar of the High Court Division within 7(seven) days from the date of disposal of the suit.

With this observation and direction, the instant rule is disposed of. Send down the Lower Court's Records to the concerned court below with a copy of the judgment at once.

(Mamnoon Rahman,J:)