

IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(SPECIAL ORIGINAL JURISDICTION)

Writ Petition No. 5241 of 2009

IN THE MATTER OF:

An application under Article 102(a)(i) and (ii) of the
Constitution of People's Republic of Bangladesh.

AND

IN THE MATTER OF:

Md. Nazmul Haque Bhuiyan

....Petitioner

Versus

Bangladesh, represented by the Secretary, Ministry
of Education, Bangladesh Secretariat, Ramna,
Dhaka and others

....Respondents

No one appears

....For the Petitioner

Mr. Sanjoy Kumar Kundu, Advocate with

Mr. Mohammad Kafil Uddin, Advocate

.... For the respondent No. 6

Present:

Mr. Justice Md. Iqbal Kabir

And

Mr. Justice S M Saiful Islam

Judgment on 18.06.2026.

Md. Iqbal Kabir, J:

This matter appeared in the list on 16.06.2026 and 17.06.2026. No one appears on behalf of the petitioner to press the Rule. However, the record shows that the petitioner challenged Rule 40 of the S.R.O. promulgated on 08.06.2009 relating to the Board of Intermediate and Secondary Education, Dhaka (Managing Committee of the Recognized Non-Government Secondary School-1) Regulation, 1977 (Annexure-B).

Today again it has appeared in the list. No one appears on behalf of the petitioner to press the Rule.

However, Mr. Sanjoy Kumar Kundu, the learned Advocate for the respondent No. 6, by showing a document, submits that the S.R.O. has already been repealed. That being the position, the Rule of the instant case has become infructuous.

That being the position, we find substance in the submission made by the learned Advocate for the respondent No. 6.

Accordingly, the Rule is discharged.

The order of stay granted earlier by this Court is hereby recalled and vacated.

There will be no order as to cost.

Communicate the order.

S M Saiful Islam, J:

I agree.