

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

Writ Petition No. 5124 of 2010

In the matter of:

An application under article 102 of the
Constitution of the People's Republic of
Bangladesh.

AND

In the matter of:

Khurshida Akter and others
... Petitioners

-Versus-

Artha Rin Adalat and others
... Respondents

Mr. Shaikh Mohammad Zakir Hossain, Advocate
... For the petitioner
Mr. M. Khaled Ahmed, Senior Advocate
... For the respondent No. 3

Judgment on: 11.05.2026

Present:

Justice Sardar Md. Rashed Jahangir
and
Justice Kazi Waliul Islam

Sardar Md. Rashed Jahangir, J:

The Rule Nisi was issued on an application under article
102 of the Constitution of the People's Republic of Bangladesh
calling upon the respondents to show cause as to why the

proceedings of Money Execution Case No. 87 of 2006 arising out of judgment and decree dated 28.01.1998 and 16.10.2001 respectively passed in Title Suit No. 24 of 1995 now pending in the Court of the Artha Rin Adalat, Khulna (respondent No. 1) should not be declared to have been without lawful authority and is of no legal effect and/or pass such other or further order or orders as to this Court may seem fit and proper.

Learned Senior Advocate Mr. M. Khaled Ahmed appearing with Ms. Nadia Mehrin, Advocate for the respondent No. 3 by filing an affidavit-in-opposition and supplementary affidavit-in-opposition apprised this Court that the Money Execution Case No. 87 of 2006 has already been dismissed vide order No. 136 dated 15.10.2024 passed by the Artha Rin Adalat, Khulna, as such, the Rule Nisi of the instant writ petition has become infructuous.

On the other hand, Mr. Shaikh Mohammad Zakir Hossain, learned Advocate for the petitioner frankly concerned the submission of learned Advocate for the respondent No. 3.

The instant writ petition has been filed challenging the proceedings of the Money Execution Case No. 87 of 2006 arising

out of judgment and decree dated 28.01.1998 and 16.10.2001 respectively passed in Title Suit No. 24 of 1995.

On perusal of the supplementary affidavit-in-opposition dated 09.03.2026 it appears that on 15.10.2024 by the order No. 136 the Artha Rin Adalat, Khulna rejected the Money Execution Case No. 87 of 2006, thus the petitioner has no existing grievance at all.

In the facts and circumstances, the Rule is disposed of.

No order as to cost.

The interim order of stay is hereby recalled.

Kazi Waliul Islam, J:

I agree.