

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

Present

Mr. Justice Sikder Mahmudur Razi

And

Mr. Justice Raziuddin Ahmed

Writ Petition No. 7102 of 2024

Amena Begum

.....Petitioner.

-Versus-

The Artha Rin Adalat, Khulna

and another.

.....Respondents.

None appears

.....For the petitioner.

Mr. ASM Abdur Razzaque, Advocate

.....For the respondent No. 2.

The 25th November, 2025

Sikder Mahmudur Razi, J:

The respondent No. 2 *i.e.* Uttara Bank PLC, Sir Iqbal Road Branch, Khulna filed the instant application praying for discharging the rule and vacating the order of stay granted at the time of issuance of rule.

It appears that the petitioner obtained a Rule from this court on 06.06.2024 in the following terms;

“Let a Rule Nisi be issued calling upon the respondents to show cause as to why the impugned Order No. 65 dated 14.05.2024 passed by the learned Judge, Artha Rin Adalat, Khulna in Artha Execution Case No. 37 of 2014 rejecting the petitioner’s application for staying

the auction process, as evident by Annexure-H should not be declared to have been passed without lawful authority and to be of no legal effect and/or pass such other or further order or orders as to this court may deem fit and proper”.

It further appears that at the time of issuance of rule the Order No. 65 dated 14.05.2024 passed by the learned Judge, Artha Rin Adalat, Khulna in Artha Execution Case No. 37 of 2014 (as evident from Annexure-H) was also stayed for a period of 3(three) months.

We have heard the learned Advocate for the respondent No. 2-bank as well as we have perused the writ petition and the documents annexed therewith.

On perusal of those, it appears that the said Order being No. 65 dated 14.05.2024 was passed based on an application filed by one of the heirs of judgment-debtor No. 2 (Copy of the said application has been annexed as Annexure-G to the writ petition). In the said application, it was asserted that another Artha Rin Suit being No. 113 of 2016 is pending before the Artha Rin Adalat, Khulna in which the property in question has also been included in the schedule of the plain of that suit. It further appears that Sonali Bank Limited, Corporate Branch, Khulna was the plaintiff of the said Artha Rin Suit being No. 113 of 2016. However, when the

matter was taken up for hearing on 14.05.2024 by the Artha Rin Adalat the plaintiff of the said Artha Rin Suit, namely Sonali Bank Limited, Corporate Branch, Khulna appeared and submitted that they have no objection in the auction proceeding. Accordingly, the Artha Rin Adalat, Khulna rejected the application of the petitioner and that order has been challenged in the instant writ petition.

Considering the facts and circumstances, we find no illegality or infirmity in the impugned order so passed by the Artha Rin Adalat, Khulna. Hence, the rule issued in the instant writ petition is hereby discharged without any order as to cost.

The interim order passed at the time of issuance of rule is hereby recalled and vacated.

(Sikder Mahmudur Razi, J.)

I agree.

(Raziuddin Ahmed, J.)