

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

Present:

Justice Sheikh Abdul Awal

And

Justice Md. Mansur Alam

Writ Petition No. 7887 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:

Md. Aslam Miah and others

..... Petitioners.

-Versus-

Government of the People's Republic of Bangladesh represented by Secretary, Ministry of Establishment and others.

.....Respondents.

No one appears

..... For the Petitioners

Ms. Israt Jahan, Advocate

.....For the respondent No.3

Mr. Md. Bodiuzzaman Tapadar, D.A.G with
Ms. Salma Sultana (Soma), D.A.G with
Mr. Md. J.R. Khan Robin, A.A.G with
Mr. A.B.M. Ibrahim Khalil, A.A.G with
Mr. Md. Manowarul Islam Uzzal, A.A.G

... For the Government-Respondents

Judgment on 20.08.2025.

Sheikh Abdul Awal, J:

On an application under Article 102 of the Constitution of the People's Republic of Bangladesh this Rule Nisi was issued calling upon the respondents to show cause as to why they should not be directed to absorb/appoint the petitioners in the service of the

Republic in their respective nominated posts of Accounts Assistant, L.D.A, Store Man, Information Assistant, Store Keeper, Security Supervisor, Lounge Room Attendant, Helper Civil, Chowkider and Cashier or equivalent posts under the Ministry of Establishment as were nominated Ex-Mojibnagar Employees as per nomination letter Vide Memo No. Sa-Ma-DS/(SP) M-2/1203/73- 812/1(30) dated 18.12.1985 issued by the Ministry of Establishment under the signature of Deputy Secretary (S.P.), S.P. Section of Ministry of Establishment vide Annexure-E to the writ petition.

No one appears to press the Rule Nisi on repeated calls.

Ms. Israt Jahan, the learned Advocate appearing for the respondent No. 3 after placing an application for discharging the Rule as being in-fructuous submits that in the facts and circumstances of the case the present Rule has become in-fructuous, as all the petitioners have already been crossed 60 years of age long before and as such, there is no scope to appoint them as Government employees.

Having heard the learned Deputy Attorney General, perused the writ petition and other materials on record.

For the reasons stated in paragraph No. 4 of the application for discharging the Rule as being in-fructuous filed on 14.08.2025, we are of the view that the instant Rule has become in-fructuous.

In the result, the Rule Nisi is discharged as being in-fructuous.

Communicate this order at once.

Md. Mansur Alam, J:

I agree.