

District: Dhaka

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

Present

Mr. Justice Sardar Md. Rashed Jahangir

F.M.A. No. 279 of 2024

In the matter of :

Acorn Limited and another

...Appellants

-Versus-

Bangladesh Bank and others

...Respondents

No one appears

...For the appellant

Mr. Lutfor Rahman, Advocate

...For the respondent No. 4

Judgment on: 23.01.2025

The instant First Miscellaneous Appeal is directed against the order 29.11.2023 passed by the Joint District Judge, Fifth Court, Dhaka in Title Suit No. 785 of 2023 rejecting the application filed under Order XXXIX, rule 1 and 2 read with section 151 of the Code of Civil Procedure.

No one appears for the appellant to pursue the appeal.

Learned Advocate for the respondent No. 4 submits that no interlocutory order of the Artha Rin Adalat can be challenged in the form of appeal or revision under section 44 of the Artha Rin

Adalat Ain, 2003 and as such the present appeal is not maintainable.

In the facts and circumstances, this Court has no option but to dismiss the appeal for default.

In the result, the appeal is dismissed.

Learned Joint District Judge is directed to dispose of Title Suit No. 785 of 2023 as early as possible.

Accordingly, the Rule issued in Civil Rule No. 1090(FM) of 2023 is also discharged, the order of stay granted earlier is hereby recalled.

Communicate the judgment and order at once.