

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. 16531 of 2024

Liaqat Ali alias Md. Leyakot Ali
.....Petitioner.

-Versus-

Bangladesh, represented by the Secretary,
Ministry of Finance, Secretariat Shahbag, Dhaka
and others.

.....Respondents.

No one appears.

..... For the petitioner.

Mr.ASM Abdur Razzaque, Advocate

.....For the respondent No. 3 & 5.

The 18th November, 2025

This is an application for discharging the Rule for non-compliance of the order of this court dated 05.01.2025.

Mr. ASM Abdur Razzaque, learned Advocate for the respondent No. 3 and 5-applicant bank submits that as per order of the Court, the petitioner was required to make payment of Tk.10.00 Lac (Ten Lac) by 28.02.2025 and the rest amount within 28.02.2026 by 4 equal installment and in default the Rule shall stand discharged. The learned advocate next submits that within 28.02.2025 the petitioner paid a sum of Tk.8.50 lac (Eight lac fifty thousand) only out of Tk.10.00 (Taka ten lac) and thereafter, he paid nothing. Therefore, the learned advocate prays for discharging the Rule.

No one appears to oppose the Rule although copy of the same was duly served.

We have heard the learned Advocate for the respondent No.3 and 5-applicants bank. We have also gone through the application, the Rule issuing order as well as other materials on record.

It appears that the petitioner was directed to pay Tk. 10,00,000/- (ten lacs) only to the concerned bank within 28 February, 2025 and the rest amount within 28 February, 2026 by 04 (four) equal installments and it was in the order that on failure to comply with the order the Rule shall stand discharged. According to the statement made by the respondent No. 3 and 5 applicants bank the petitioner failed to comply with the order of this court and as a result, in accordance with the terms of the Rule issuing order, the Rule has been discharged. Moreover, the date fixed for holding auction also expired long before.

In view of the facts and circumstances, we are inclined to allow the instant application and accordingly, the same is allowed.

Resultantly, the Rule is discharged for non-compliance of the court's order dated 05.01.2025 with cost Tk. 10,000 (ten thousand). The interim order passed at the time of issuance of the Rule is hereby recalled and vacated.

The petitioner is directed to pay the said amount in the Account being No.4435401017179 (saving account) maintained in the name of the Registrar General & Marshal of Supreme Court of Bangladesh, in default, the respondent bank will charge the said amount in the loan account of the petitioner and upon recovery of the dues will remit the said amount in the account mentioned above.

Communicate the judgment and order to the concerned authority, at once.

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(Sikder Mahmudur Razi, J.)

I agree

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(Raziuddin Ahmed, J.)