

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. 2434 of 2025

Mohammad Yunus

.....Petitioner.

-Versus-

Bangladesh Bank, represented by the Secretary,
Financial Institutions Division, Ministry of
Finance and others.

.....Respondents.

None appears

.....For the petitioner.

Mr. Md. Hafizur Rahman Khan, Advocate

.....For the respondent No. 04.

The 09th December, 2025

This is an application for discharging Rule for non-compliance of the order of this court dated 13.02.2025.

Mr. Md. Hafizur Rahman Khan, learned Advocate for the respondent No. 4-applicant bank submits that as per order of the court dated 13.02.2025, the Petitioner was required to pay the rest of the unpaid amount in full within 02 (Two) months and directed to file an affidavit of compliance. Therefore, the petitioner was under a duty to pay the rest of the unpaid loan amount within 02 (Two) months from the date of the order, i.e. by 13.04.2025. However, the Petitioner has failed to pay the rest of the unpaid loan amount as directed by the Court and thus failed to comply with the said order. Therefore, the learned advocate prays for discharging the Rule.

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

We have heard the learned Advocate for the respondent No.4-applicant bank. We have also gone through the application, the Rule issuing order as well as other materials on record.

It appears that by order dated 13.02.2025, the petitioner was expressly directed to pay the remaining unpaid loan amount in full within 02 (two) months and to file an affidavit of compliance in this regard. The said order further made it clear that the interim protection granted by this Court was conditional, and that in the event of failure to comply with the said direction within the stipulated time, the Rule and the order of status quo would automatically stand discharged and vacated. According to the statement of the respondent-applicant bank the petitioner did not comply with the court's order dated 13.02.2025 and therefore, as per terms of the Rule issuing order the Rule has already been discharged.

Considering the facts and circumstances, we are inclined to allow the instant application and accordingly, the same is allowed. In the result, the Rule is discharged 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 all, at once.

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(Sikder Mahmudur Razi, J.)

I agree

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(Raziuddin Ahmed, J.)