

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. 14670 of 2024**

S.M Ziaur Rahman  
.....Petitioner.

**-Versus-**

The Government of Bangladesh represented by  
the Secretary, Ministry of Finance and others.  
.....Respondents.

No one appears.  
..... For the petitioner.  
Mr.ASM Abdur Razzaque, Advocate  
.....For the respondent No. 3 & 4.

**The 18<sup>th</sup> November, 2025**

This is an application for discharging the Rule for non-compliance of the order of this court dated 03.12.2024.

Mr. ASM Abdur Razzaque, learned Advocate for the respondent No. 3 and 5-applicant bank submits that the writ petitioner did not deposit any amount of money to this respondent Nos.3 & 4 and also did not file any affidavit of compliance as per order of the Hon'ble Court. and as such the order of stay granted earlier in the writ petition liable to be vacated and the Rule is liable to be discharged with cost. 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.3 and 4-applicants bank. We have also gone through the application, the Rule issuing order and other materials on record.

It appears that the petitioner was directed to pay Tk. 4,00,000 (four lacs) only to the concerned bank within 03.02.2025 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 4 applicants bank the petitioner the petitioner failed to comply with the order of this court. We also do not find any affidavit-in-compliance with the record. 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 03.12.2024 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.

.....  
(Sikder Mahmudur Razi, J.)

I agree

.....  
(Raziuddin Ahmed, J.)