

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

Writ Petition No. 15837 of 2024

IN THE MATTER OF:

An application under Article 102 of the Constitution
of People's Republic of Bangladesh.

AND

IN THE MATTER OF:

A. A. M. Jakaria

....Petitioner

Versus

Government of Bangladesh, represented by the
Secretary, Ministry of Finance, Bangladesh
Secretariat, Shahbag, Dhaka-1000 and others

....Respondents

No one appears

....For the Petitioner

Mr. M Mohiuddin Yousuf, Advocate

.... For the respondent No. 4

Present:

Mr. Justice Md. Iqbal Kabir

And

Mr. Justice S M Saiful Islam

Judgment on 24.06.2026.

Md. Iqbal Kabir, J:

At the instance of the petitioner, this Rule Nisi was issued in the following
terms:

“Let a Rule Nisi be issued calling upon the respondents to show
cause as to why the inaction on their part in disposing the
petitioner's representation dated 17.12.2024 as evident by
Annexure-F to the supplementary affidavit and why letter dated
23.10.2024 containing Memo No. 51 (বিশদ পরিদর্শন) BCBL, Head
Office, Dhaka issued by the Banking Inspection Division-5, Head
Office, Bangladesh Bank so far it relates to the petitioner
(Annexure-C) and letter containing সূত্র বিসিবিএল/প্রকা/এমডি-
সেক/2024/9543 dated 28.10.2024 issued by the respondent No. 4
(Annexure-B) directing the petitioner to return Taka 23,50,000/-
should not be declared to be without lawful authority and is of no
legal effect and/or why such other or further order or orders as to
this Court may seem fit and proper shall not be passed.”

At the time of issuance of the Rule, this Court also passed an interim
order in the following manner:

“Pending hearing of the Rule, let operation of the impugned Memo No. বিসিবিএল/প্রকা/এমডি-সেক/2024/9543 dated 28.10.2024 issued by the respondent No. 4 (Annexure-B) and letter dated 23.10.2024 containing Memo No. 51 (বিশদ পরিদর্শন) BCBL, Head Office, Dhaka issued by the Banking Inspection Division-5, Head Office, Bangladesh Bank so far it relates to the petitioner (Annexure-C to the writ petition) be stayed for 3(three) months from date.”

No one appears on behalf of the petitioner to press the Rule.

Mr. M Mohiuddin Yousuf, the learned Advocate for the respondent No. 4, by filing an affidavit-in-opposition, brings notice to this Court that the petitioner already deposited the entire amount which was the subject matter of the instant Rule. By depositing the entire amount, the Rule has become inoperative.

We find substance in the submission as the affidavit-in-opposition clearly shows (Annexure-2) that the petitioner deposited the entire amount.

In view of the above, the Rule has become infructuous.

Accordingly, the Rule is discharged.

The order of stay granted at the time of issuance of the Rule is hereby recalled and vacated.

There is no Order as to costs.

Communicate the Order at once.

S M Saiful Islam, J:
I agree.