

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. 1133 of 2025

Md. Emdadul Haque Sarker

.....Petitioner.

-Versus-

Bangladesh Bank, the Central Bank of
Bangladesh, represented Bank Bhaban, Motijheel
C/A, Dhaka and others.

.....Respondents.

None appears

.....For the petitioner.

Mr. Mohammed Faisal Dastagir, Advocate with

Mr. Mohammad Torique Ullah, Advocate

.....For the respondent No. 4.

The 09th December, 2025

This is an application for discharging the Rule for non-compliance of the order of this court dated 27.01.2025.

Mr. Mohammed Faisal Dastagir, along with Mr. Mohammad Torique Ullah, learned Advocates for the respondent No. 4-applicant submits that since issuance of the Rule till 13.08.2025, the petitioner made payment only an amount of Tk.78,000/- although the Court directed the petitioner to file affidavit in compliance showing the payment 50% to the Bank within 27.07.2025 and the rest outstanding dues within next 12 (twelve) months by 12 (twelve) equal installments, but the petitioner failed to make the payment as per order of the Court. Therefore, the learned advocate prays for discharging the Rule for non-compliance of the Court's order.

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

We have heard the learned Advocates for the respondent No. 4-applicant bank. We have also gone through the application, the Rule issuing order dated 27.01.2025 as well as other materials on record.

It appears that the petitioner was directed to pay 50% to the concerned bank within 27.07.2025 and the rest outstanding dues within next 12 (twelve) months by 12 (twelve) equal installments as well as to file affidavit-in-compliance in this regard. It was also 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.4-applicant the petitioner failed to comply with the order of this court. As a result, in accordance with the terms of the order, the Rule has been discharged.

In view of 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 for non-compliance of the Court's order dated 27.01.2025 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 at once.

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(Sikder Mahmudur Razi, J.)

I agree

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(Raziuddin Ahmed, J.)