

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

**Writ Petition No. 21093 of 2025**

**IN THE MATTER OF:**

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

-AND-

**IN THE MATTER OF:**

Prof. Dr. Md. Korban Ali and others  
.....Petitioners

-Versus-

**Present:**  
Mr. Justice Sashanka Shekhar Sarkar  
And  
Justice Urmeem Rahman

Government of Bangladesh, represented  
by the Secretary, Ministry of Education,  
Bangladesh Secretariat, Shahbag, Dhaka  
and others

..... Respondents

Ms. Jesmin Sultana (Shamsad), Advocate with  
Mr. Fuad Hassan Khan, Advocate

...For the petitioners

Mr. Mohammad Waliul Islam Oli, D.A.G with  
Mr. Md. Ershadul Bari Khandakar, D.A.G,  
Ms. Nilufar Yesmin, A.A.G,  
Mr. Md. Moshir Rahman (Rahat), A.A.G,  
Mr. Md. Motasin Billah Parvez, A.A.G and  
Mr. Md. Faridul Islam, A.A.G

.... For the respondents

Mr. Md. Humayun Kabir Bulbul, Advocate

... For the respondent No. 5.

Heard on 13.01.2026, 02.02.2026 and

Judgment on 08.02.2026

**Urmeem Rahman, J:**

In the instant writ petition Rule was issued in the following  
terms:

*“Let a Rule nisi be issued calling upon the Respondents show cause as to why the impugned decision of the Admission Committee of the University of Chittagong to exclude preferential Ward Quota for the children and spouse of the university employees in the admission circular dated 25.11.2025 published in the daily Prothom Alo with some other newspapers as well as the website (admission.cu.ac.bd) of the University of Chittagong inviting to fill up application form for admission in the Bachelors degree (Honors) 1<sup>st</sup> Year Session 2025-26, should not be declared void illegal, without any lawful authority and is of no legal effect (Annexure-D1 to the Writ Petition) and as to why the respondents should not be directed to continue /include preferential Ward Quota for admission in the Bachelors degree (Honors) 1<sup>st</sup> Year for the children and spouse of the university employees deserving decades previously and/or such other or further order or orders as to this Court may seem fit and proper.”*

Relevant facts for disposal of the matter in brief are that, the University of Chittagong was established vide Chittagong University Ordinance 1966 and subsequently the said Ordinance was repealed and the Chittagong University Act 1973 was passed in the parliament in the year of 1973 and was published in the gazette on 04.10.1973. At the moment about five thousand students are

getting admission in the first-year degree honours programme each year. From the very beginning the University of Chittagong had 'Preferential Ward Quota' like other public universities of Bangladesh wherein the children and spouses of the teachers and staffs get preferences for admission in the University in limited seats. The Syndicate of the University decides the number of 'Ward Quota' with other quotas as per Chittagong University Act, 1973.

During the previous academic sessions for the year 2022-23, 2023-24 and 2024-25 the University continued their admission process with this preferential ward quota without any debate from any corner. However, the Respondent no. 6, the Secretary of the Admission Committee of Bachelor's degree (Honors) 1<sup>st</sup> Year for academic Session 2025-26 of the University of Chittagong, published a circular on 25.11.2025 in some newspapers including the daily Prothom Alo as well as in the website of the university ([amission.cu.ac.bd](http://amission.cu.ac.bd)) inviting to fill up application form for students' admission in the said session. This circular omitted the 'preferential ward quota' for the children and spouses of the university employees and provided no such option in the application form either. The admission committee of the University of Chittagong was formed on 06.10.2025 for conducting admission process in the Bachelor's degree (Honors) 1<sup>st</sup> Year Session wherein the Respondent no. 2 i.e. the Vice Chancellor, was the Chairman. No formal decision as to the exclusion of 'preferential Ward Quota' was adopted by the admission committee.

The employees' organization of the University forwarded together in the name of 'Sadharon Kormokorta Kormochari Oikko Porishad', who made an application on 21.10.2025 to the Respondent no. 2, the Vice Chancellor of the University, praying for ensuring the 'preferential ward quota'. The decision of keeping this quota for the children and spouses of the University employees continued up to the last academic session 2024-25. That decision of the university Syndicate has not been changed or cancelled. The last syndicate meeting of the University of Chittagong was 558<sup>th</sup> Meeting, wherein no such agendum to exclude the preferential ward quota was raised but without prior decision of the Syndicate, the admission Committee at their sweet will has excluded the said quota in the admission of Bachelor's degree (Honors) 1<sup>st</sup> year for the Session 2025-26.

Being aggrieved by and dissatisfied with the impugned action of the Respondents the petitioners have filed the instant writ petition and obtained the Rule.

Ms. Jesmin Sultana (Samsad), learned Advocate, appearing on behalf of the petitioner, at the very outset submitted that, if the Admission Committee of the University wants to exclude preferential ward quota, the proper procedure as per the University Act of 1973 is that, they have to first take their decision in a meeting and then the same should be sent before the Academic Council for approval, who shall raise the agendum before the Syndicate meeting and then the Syndicate will take the final

decision on that issue. In the instant case the admission committee has come up with the impugned decision on their own without following the lawful procedure as provided under the Act of 1973, which is therefore liable to be declared to have been made without lawful authority.

Learned Advocate further submitted that, all the public universities of the country as well as the Chittagong University have a long standing practice to provide preferential ward quota for children and spouses of the University employees for admission in the university concerned and it is the legitimate expectation of the employees to enjoy this privilege but the admission committee has excluded quota that arbitrarily and whimsically, which is liable to be declared without any lawful authority and is no legal effect.

Learned Advocate for the petitioners finally submitted that, the students who get chance under preferential ward quota are admitted in the university in very limited additional seats of every department and that does not in any way disturb the actual/regular seat limits. Hence the respondents should be directed to include the 'ward quota' for academic Session 2025-26.

Mr. Md. Humayun Kabir Bulbul, learned Advocate entered appearance on behalf of the Respondent no. 5 i.e. the Registrar of Chittagong University and contested the Rule by filing an affidavit in opposition.

Learned advocate for the Respondent no. 5 submitted that, the main slogan for the July 2024 uprising was “কোটা না মেধা, মেধা

মেধা।” Therefore at present the demand of quota has become irrelevant in Bangladesh. It is the expectation of the people that every where decision will be taken on the basis of merit including the admission in the university. Hence the petitioners’ demand is denied by the contesting respondent and the Rule may be discharged for ends of justice.

Apart from this submission, the learned Advocate for the contesting respondent No. 5 did not place any other argument. Moreover, he conceded to the submission put forwarded by the learned advocate for the petitioners that, no procedure in accordance with the Chittagong University Act, 1973 was adhered to while taking the decision in excluding the ‘ward quota’ for the academic session of 2025-26.

We have heard the learned Advocate for the petitioner and the learned Advocate for the respondent no. 5 and perused the writ petition, affidavit in opposition as well as all the documents annexed therewith.

It appears from the writ petition that the petitioners are the teachers, officers and staffs of University of Chittagong and all of their children or spouses are candidates for the admission in the Bachelor’s degree (Honors) 1<sup>st</sup> year session of 2025-26 in the said University. They, being aggrieved by the impugned decision of the respondents, are aggrieved party and therefore have locus standi to file this writ petition.

On perusal of the documents on record it appears that, University of Chittagong provided the 'preferential ward quota' for the children and spouses of the university employees till the last academic session of 2024-25. The admission manual for this session was approved on 30.12.2024 as appeared in Annexure B, page-84. In that manual there was provision for as many as nine different types of quotas e.g.(a) Freedom Fighter Quota, (b) Ward Quota, (c) Tribal Quota, (d) Non-tribal Quota, (d) BKSP Quota, (e) Small Ethnic Group Quota, (f) Physically Compromised Quota, (g) Professional Player Quota and (h) *Dalit* Quota. Certain minimum qualifications were also mentioned in the manual in order to avail the privilege of the particular quota.

It appears from the recent Admission Manual of the academic session of 2025-26 (annexure-D1) that, it was approved on 20.11.2025 and it contains provision for eight different types of quotas. The 'ward quota', which was very much in the previous admission manual, has been omitted herein.

On perusal of the minutes of the Syndicate meeting of University of Chittagong held on 26.09.2025 (annexure-H page-160) it transpires that, there is no agenda regarding abolition of the existing 'ward quota' from the upcoming academic session.

According to the provision of the Chittagong University Act, 1973, there is an Academic Council, which is the academic body of the University and as per section 27 and 29 of the Act, the Academic Council shall have the right to advise the Syndicate on

all Academic matters. The Syndicate, which is the Executive Body of the University, shall take the final decision as empowered by Section 26 of the Act of 1973. In the instant case, admittedly, no such procedure, as described in the Act, has been adhered to by the respondents in arriving at the impugned decision excluding the 'ward quota' from the upcoming academic session.

While it is a settled principle of law that the policy decision of any authority is immuned from questioning in judicial review, the legality in arriving at such decision is always open for judicial intervention. In the present case it is evident as well as admitted by the contesting respondent no. 5 that the prescribed procedure was not followed by the university authority in taking the impugned decision excluding 'ward quota' from the admission circular dated 25.11.2025 (annexure D1). As a result, the same is declared to have been made without any lawful authority and hereby set aside.

In view of the discussions made hereinabove, we find that there is substance in the Rule.

In the result, the Rule is made absolute.

However, there is no order as to cost.

The Respondent nos. 2-6 are hereby directed to provide 'ward quota' to the respective children and spouses of the petitioners for the academic session of 2025-26 subject to fulfillment of the required conditions as mentioned in the previous admission manuals in this regard.

Communicate the judgment and order at once.

Sashanka Shekhar Sarkar, J:

I agree.

*Helal/ABO*