

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

Writ Petition No. 21031 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:

Dr. Munshi Shahjahan and others
... Petitioner

-Versus-

Government of Bangladesh and others
... Respondents

Mr. A.S.M. Khalequzzaman, Advocate
... For the petitioners

Mr. Md. Jahangir Alam, Advocate
... For the respondent No. 3

Mr. Muhammad Safwan, Advocate with
Ms. Farzana Shimul, Advocate
... For the respondent No. 4

Md. Faruk Hossein, Advocate with
Ms. Mahmuda Begum Runu, Advocate
... For the respondent Nos. 6 and 7

Judgment on: 13.09.2026

Present:

Mr. Justice Sardar Md. Rashed Jahangir

And

Mr. Justice Md. Ziaul Haque

Sardar Md. Rashed Jahangir, J:

On an application under article 102 of the Constitution of the
People's Republic of Bangladesh, Rule Nisi was issued on 11.07.2024 as
follows:

“Let a Rule Nisi be issued calling upon the respondents to show cause as to why the inaction of the respondents in cancelling the letter Vide Memo No. BRPD(LS-1)/745(1)/2025-10530 dated 31.08.2025 shifting the Sonali Bank PLC, Dhahakula Branch from Dahakula Village to Bhyadalia Bazer should not be declared illegal, without lawful authority and is of no legal effect and as to why a direction should not be given upon the respondents not to withdraw or shift the Sonali Bank PLC, Dahakula Branch from Dahakula Village to Bhadalia Bazer and keep the Sonali Bank PLC, dahakula Branch at its existing place Dahakula village and/or pass such other or further order or orders as may seem fit and proper to this Court.”

It is stated that the petitioners are law abiding citizens of the country and permanent inhabitants of Dahakula village of Kushtia. For the last 46(forty six) years a branch of Sonali Bank Limited has been functioning at (Branch Code No. 30072) Dahakula. It is further stated that the petitioners are maintaining their account with the Sonali Bank PLC, Dahakula Branch, Kushtia.

It is further stated that in the 98th meeting of the authority of Sonali Bank PLC held on 26.04.2021, wherein renewal of rental agreement was approved up to 15.03.2027 and the said agreement is remained in force. The local people of the area came to know on 01.11.2025 that the DGM, Sonali Bank PLC, Kushtia and local officer of Sonali Bank PLC, Dahakula Branch are trying to withdrawn the branch of Dahakula village and shifting the same at Bhadalia Bazer. It is further stated that the Manager, Sonali Bank PLC, Dahakula Branch submitted a report to the Deputy General Manager, Sonali Bank PLC, Principal

Office, Kushtia stating that the proposed branch of Bhadalia Bazer is about 6.5 Kilometer away from the present branch. The Deputy Director of Bangladesh Bank vide letter dated 31.08.2025 approved the shifting proposal of the branch from Dahakula to Bhadalia Bazer. It is further stated that the said approval is very harmful to Alampur Union, Ailchara Union and Kanchonpur Union as well as the account holders of Dahakula Branch, Kushtia and as such the petitioners being inhabitants of the locality have challenged the proposed shifting of Branch of Sonali Bank PLC from Dahakula Village to Bhadalia Bazer, Kushtia. About 3(three) thousand inhabitants of Alampur Union, Alichara Union and Kanchonpur Union filed a representation before the Deputy Commissioner, Kushtia and Deputy General Manager, Sonali Bank PLC, Zonal Office, Kushtia for cancelling the letter dated 31.08.2025 and not to withdraw and shift the branch office of Sonali Bank PLC from Dahakula village to Bhadalia bazer. The petitioners served a demand justice notice upon the respondents requesting to cancel the decision of shifting the branch and having no result they moved before this Court and obtained the Rule.

Mr. A.S.M. Khalequzzaman, learned Advocate appearing for the petitioner submits that for the personal interest of DGM, Sonali Bank PLC, Zonal Office, Kushtia the initiative of proposed shifting of the branch from Dahakula village to Bhadalia Bazer has been taken. It is further submitted that if the branch is allowed to shift 8(eight) thousand account holders shall be highly prejudiced.

It is finally submitted that for the interest of inhabitants of Alampur Union, Ailchara Union and Kanchonpur Union the decision of shifting the branch of the Dahakula Branch of Sonali Bank PLC is required to be cancelled.

After issuance of Rule the respondent Nos. 6 and 7, Managing Director of SBL and DGM entered appearance by filing powers and affidavits-in-opposition.

Wherein, it has been stated the shifting of SBL from Dahakula village to Bhadalia Bazer is a policy decision taken under the administrative authority of the Board of Directors of Sonali Bank PLC, against which no application under article 102 for judicial review is maintainable. It is further stated that the petitioners have no locus standi to file the instant writ petition.

Heard learned Advocates of both the parties and perused the writ petition.

It is contended by the respondents that the petitioners have no locus standi to file this writ petition under article 102 of the Constitution. To maintain a writ petition in the form of certiorari the person/persons has/have to show that they are aggrieved persons. To be a aggrieved person the applicants must suffered a legal grievance, and to show that a decision has been taken wrongly depriving them from something their rights or the decision or action affecting their legal right or title of something.

In the case in hand, the persons are maintaining account under the Dahakula Branch, Sonali Bank PLC having not been suffered from any

substantial injury in shifting the branch of Sonali Bank, because in the same locality there are many branches of others banking companies and if maintaining of the accounts in Sonali Bank PLC in the concerned branch caused inconvenience to the petitioners they have right to withdraw their accounts from Sonali Bank and to open account in any other banking company.

Moreover, the Sonali Bank PLC is a company having engaged in the business of banking and the bank authority has the right to maintain their branch at their convenience.

Under article 102 of the Constitution, this Court cannot interfere into their policy or administrative decision.

In view of above, we do not find any substance in the Rule.

Accordingly, the Rule is discharged.

No order as to cost.

Communicate the order at once.

Md. Ziaul Haque, J:

I agree.