

Present:
Mr. Justice Md. Shohrowardi
Civil Revision No. 5304 of 2025
Alhaj Md Mukul Amin....Petitioner
-Versus-
Md. Alamgir and others....Opposite parties
No one appears.

....For the petitioner

No one appears.

....For the opposite parties

Heard on 22.07.2026

Judgment delivered on 22.07.2026

On an application filed by the plaintiff-petitioner Rule was issued calling upon the opposite party Nos. 1 to 10 & 15 to show cause as to why the impugned judgment and order dated 01.12.2025 passed by the Joint District Judge, Court No. 2, Dhaka in Title Suit No. 918 of 2025 fixing the date of hearing of the application under section 151 of the Code of Civil Procedure, 1908 for an ad-interim order of injunction on the date fixed without considering the importance and urgency of the matter amounts to rejection of the application filed by the plaintiff-petitioner should not be set aside and/or pass such other or further order or orders as to this Court may seem fit and proper.

Relevant fact for disposal of the Rule is that the petitioner, as plaintiff, filed Title Suit No. 918 of 2025 in the Court of Joint District Judge, Court No. 2, Dhaka, praying for a decree of declaration that the land use clearing certificate contained in memo No. RAJUK 25.39.0000.095.35.1951.21.988 স্মারক dated 17.11.2021 and the plan and map under memo No. RAJUK 25.39.0000.99.33.051.24 dated 11.02.2025 in respect of Ka(2) schedule land is unlawful, and the same are not binding upon the plaintiff. During pendency of the suit, the plaintiff filed an application under Order 39 Rule 1 and 2 read with section 151 of the Code of Civil Procedure, 1908 for injunction restraining the defendant Nos. 1 to 6 and 13 to 14 to stop the construction in the schedule land and after filing the application, the trial Court by order dated 01.12.2025 passed an order for hearing the said application on the date fixed against which, the petitioner obtained the Rule.

No one appears on behalf of either party.

On perusal of the order dated 01.12.2025, it reveals that after filing the application, the trial Court fixed the application for hearing on the date fixed. No order has been passed by the trial Court on the application. Therefore, it cannot be said that the application was rejected by the trial Court. Since the application filed by the plaintiff-petitioner for injunction is pending before the trial Court, I am not inclined to pass any order touching the merit of the case. I do not find any

illegality in the impugned order passed by the trial Court. However, the trial Court is directed to dispose of the said application within 2(two) weeks from the date of receipt of this order.

The ad-interim order of status quo in respect of possession and position of the suit land is hereby vacated.

I find no merit in the Rule.

In the result, the Rule is discharged.

However, there will be no order as to costs.