

**In the Supreme Court of Bangladesh  
High Court Division  
(Civil Revisional Jurisdiction)**

Present:

**Mr. Justice Md. Riaz Uddin Khan**

**Civil Revision No. 01 of 2026**

**IN THE MATTER OF :**

An application under section 115(4) of the Code of Civil Procedure

**-And-**

**In the Matter of:**

Moniruzzaman Bari and others

... Plaintiff-Petitioners

Versus

Kamruzzaman Miah and others

... Defendant-Opposite parties

Dr. Kazi Aktar Hamid, Advocate with

Mr. A.Q.M. Sohel Rana, Advocate and

Ms. Farzana Hossain, Advocate

... For the petitioners

Mr. Md. Nurul Islam, Advocate

... For the Opposite Party No. 1

**Judgment on: 27.04.2026**

**Md. Riaz Uddin Khan, J:**

This Rule was issued on an application under section 115(4) of the Code of Civil Procedure against opposite party No.1 to show cause as to why the impugned order No.1 dated 18.11.2025 passed by the District Judge, Brahmanbaria in Civil Revision No.42 of 2025 rejecting an application filed under section 151 of the Code of Civil Procedure, 1908 for ad-interim injunction should not be set aside and or such other or further order or orders should not be passed as to this Court may deem fit and appropriate.

At the time of issuance of the Rule the parties were directed to maintain status-quo in respect of possession of the suit land for a period of 03 (three)

month with direction upon the learned District Judge to dispose of the Civil Revision No.42 of 2025 within 1 (one) month from date.

It appears that the learned District Judge, Brahmanbaria failed to dispose of the Civil Revision No.42 of 2025 pending before him within time as directed by this Court and this Court by order dated 12.03.2026 asked the learned District Judge to submit a written explanation of his failure with further direction to dispose of the Civil Revision No.42 of 2025 within 20.04.2026 and to apprise this Court. Accordingly the learned District Judge by a written explanation sought unconditional apology for not disposing the Civil Revision earlier within time as there was a miscommunication and initiated process against the staffs who were responsible for the miscommunication and apprised this Court, with a copy of the judgment and order dated 07.04.2026, that he has already disposed of the Civil Revision No.42 of 2025. The learned District Judge, Brahmanbaria begs mercy of this Court and undertook that in future he would be very cautious and vigilant in complying with any order of this Court.

The written explanation given by the learned District Judge, Brahmanbaria appears to be true and genuine and he is exonerated from the charge of failure to comply with the order passed by this Court in time.

Be that as it may, it turns out from Order No.3 dated 07.04.2026 that the learned District Judge, Brahmanbaria disposed of the Civil Revision No.42 of 2025 rejecting the Revision and thereby affirming the order dated 18.09.2025 passed by the trial court in

Title Suit No. 110 of 2025. It may be mentioned here that the present civil revision before this Court has been filed challenging the Order No.01 dated 18.11.2025 passed by the learned District Judge, Brahmanbaria in Civil Revision No.42 of 2025 rejecting an application for ad-interim temporary injunction arising out of that civil revision which has been filed against the order of rejection of temporary injunction prayer dated 18.09.2025 by the trial court in Title Suit No.110 of 2025. Since the Civil Revision itself has been disposed of, the interim order has become *infractuous*. The aggrieved party by the order no.3 dated 07.04.2026 passed in Civil Revision No.42 of 2026 by the learned District Judge, Brahmanbaria may take recourse of law but the instant Rule has become *infractuous*.

In the result the Rule issued by this Court on 05.01.2026 is **discharged** as being *infractuous*. The interim order of status-quo passed by this Court stands vacated.

The parties are directed to take steps before the trial court to conclude the trial as early as possible.

Communicate the judgment and order at once.