

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

Writ Petition No. 8897 of 2026

In the matter of:

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

AND

In the matter of:

Md. Akramul Haque Chowdhury
... Petitioner

-Versus-

The Artha Rin Adalat No. 3, Dhaka and others
... Respondents

Mr. A.K.M. Asiful Haque, Advocate with
Mr. Md. Mozammel Hossain, Advocate
... For the petitioners

Mr. Tanim Khan, D.A.G. and

Mr. A.M. Jamiul Hoque (Faisal), D.A.G. with

Ms. Fatema Yesmin, A.A.G.

Mr. Mehedi Hasan Ronve, A.A.G.

Ms. Elina Chowdhury, A.A.G. and

Mr. Sk. Naser Wahed (Shemon), A.A.G.

... For the respondents

Order dated: 20.07.2026

Present:

Justice Sardar Md. Rashed Jahangir
and
Justice Kazi Waliul Islam

Sardar Md. Rashed Jahangir, J:

Earlier when the matter was taken up for hearing no one appeared to
press the application.

Accordingly, the application was rejected for non-appearance.

Thereafter, on the prayer of learned Advocate for the petitioner, the
matter has been appeared in the list for recalling the unsigned order.

Mr. A.K.M. Asiful Haque, learned Advocate for the petitioner referring 2(two) i.e. judgments the first one is the case of Md. Arfan Uddin Akand Vs. Md. Kamal Uddin Akand, reported in 15 BLT(HCD)(2007) 343 and the case of Nilufar Mahruk Hossain Vs. Artha Rin Adalat, Bogura and others in Writ Petition No. 9904 of 2016 trying to convince us for issuance a Rule Nisi against a judgment and decree of Artha Rin Adalat.

The Artha Rin Adalat Ain, 2003 having been enacted for the purpose of speedy recovery of defaulted loan. In the instant case, the writ petitioner has borrowed some money from Eastern Bank PLC under a sanction letter and due to his failure to repay, the Eastern Bank PLC filed a suit for recovery of Tk.1,67,94,943.88 as stands on 30.09.2013 and the said suit has been decreed ex-parte.

Under the Artha Rin Adalat Ain, 2003 there is specific provision for preferring an appeal against the judgment and decree passed by a Artha Rin Adalat. Moreover, under section 19, there is specific provision for taking resort for setting aside the ex-parte decree. The petitioner without availing the statutory forum filed writ petition under article 102 of the Constitution of the People's Republic of Bangladesh.

Under article 102 of the Constitution, it is provided that if there no other equally efficacious remedy is available, then the High Court Division may entertain an application under the jurisdiction of judicial review.

Since, there is specific forum in the form of appeal, we do not find any reason to entertain the application.

Accordingly, the application is rejected summarily.

Kazi Waliul Islam, J:

I agree.