

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

Writ Petition No. 16014 of 2012

IN THE MATTER OF:

An application under Article 102(1) and (2) of the
Constitution of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

Md. Abdul Kader and another

....Petitioners

Versus

Government of the People's Republic of
Bangladesh, represented by the Secretary, Ministry
of Home Affairs, Bangladesh Secretariat, Abdul Goni
Road, Dhaka, others

....Respondents

Mr. Md. Ozi Ullah, Advocate

....For the Petitioners

Mr. Md. Abid Chowdhury, DAG

Mr. M Mohiuddin Yousuf, DAG

Mr. Monjur Elahi Porag, AAG

Mr. Ariful Alam, AAG

Mr. Nazmul Hasan Chowdhury, AAG and

Mr. Md. Shahidul Islam, AAG

.... For the respondents

Present:

Mr. Justice Md. Iqbal Kabir

And

Mr. Justice S M Saiful Islam

Judgment on 18.05.2026.

Md. Iqbal Kabir, J:

At the instance of the petitioners, this Rule Nisi was issued in the
following terms:

“Let a Rule Nisi issue calling upon the respondents to show cause
as to why they should not be directed not to disturb the petitioners
or interfere with their peaceful enjoyment and possession of the
property covered by plot No. 8, Road No. 19, Sector-11, Uttara
Model Town, Dhaka measuring an area of 3 Kathas of land
without due process of law and/or such other or further order or
orders passed as to this Court may seem fit and proper.”

On perusal of the Rule issuing order, it appears this matter relates to a
civil dispute; a writ petition is not maintainable, the petitioners may have
agitated their grievances before the appropriate forum, and on that count, Mr.

Md. Ozi Ullah, learned Advocate for the petitioners finds difficulties in making further submission. However, he submits, the Court may dispose of the Rule with an observation to give opportunity to agitate his grievance before the appropriate, if any.

This Court finds substance in the submission; therefore, petitioners are allowed 30 (thirty) days to agitate their grievances before the appropriate authority, if any.

With the above observation, the Rule Nisi is disposed of.

The order of status-quo granted at the time of issuance of the Rule Nisi is hereby recalled and vacated.

However, there shall be no order as to costs.

Communicate the Order at once.

S M Saiful Islam, J:

I agree.