

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

Writ Petition No. 9073 of 2013

IN THE MATTER OF:

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

AND

IN THE MATTER OF:

1. M/S. T.N. Bricks
2. M/S. Paragon Bricks
3. M/S. Juldha Bricks Manufacturing
....Petitioners

Versus

Government of the People's Republic of
Bangladesh, represented by the Secretary, Ministry
of Environment, Bangladesh Secretariat, Dhaka
others

....Respondents

No one appears

....For the Petitioners

Mr. Md. Abid Chowdhury, DAG with
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 be issued calling upon the respondents to show
cause as to why the public notice issued by respondent No. 2 vide
Memo. No. পরিবেশ/ প্রচার/ বিজ্ঞাপন-৩১০/ ২০০২ (৩য়)/ ২৫৬ dated 02.10.2012
which has subsequently been extended vide Memo No. পরিবেশ/
বায়ুব্যবস্থাপনা/ ইটভাটা প্রয়ঃ রূপাঃ ৭২/ ২০১২/ ৪৪ dated 27.3.2013 (Annexure-G)
should not be declared to have been made without lawful authority
and are of no legal effect and/or pass such other or further order
or orders as to this Court may seem fit and proper.”

At the time of issuance of the Rule, this Court also passed the interim order in the following manner:

“Let operation of the impugned public notice issued by respondent No. 2 vide Memo No. পরিবেশ/ প্রচার/ বিজ্ঞাপন-৩১০/ ২০০২ (৩য়)/ ২৫৬ dated 2.10.2012 which has subsequently been extended vide Memo No. পরিবেশ/ বায়ুব্যবস্থাপনা/ ইটভাটা প্রযুঃ রূপাঃ ৭২/ ২০১২/ ৪৪ dated 27.3.2013 (Annexure-G) be stayed for a period of 3(three) months from the date, so far it relates to the petitioners.”

It appears from the interim order that this Court directed the respondents not to interfere in manufacturing bricks in the petitioners' brick field till 31.03.2013 or disposal of the appeal, whichever is earlier.

This matter appears in the list for passing a necessary order, but no one appears on behalf of the petitioners to apprise this Court of the present position of the case. This is a long-pending matter; the Rule was issued in the year 2013, and an interim order was also passed. This Court does not find any reason to keep the matter pending any further. By the lapse of time, the Rule has become infructuous.

Accordingly, the Rule Nisi is discharged.

The order of stay granted at the time of issuance of the Rule 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.