

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

**WRIT PETITION NO. 7585 of 2014**

**IN THE MATTER OF:**

An Application under Article 102 of the Constitution of the  
People's Republic of Bangladesh

-AND-

**IN THE MATTER OF:**

Shishu Mohan Mondal

....Petitioner

-Versus-

Government of Bangladesh represented by the Secretary,  
Ministry of law, Justice and parliamentary Affairs, Bangladesh,  
Ramna, Dhaka and others

....Respondents

No one appears.

....For the petitioner

Mr. Md. Anichur Rahman Khan, D.A.G with

Mr. Md. Mizanur Rahaman, D.A.G with

Mr. Mir Moniruzzaman, A.A.G with

Mr. Md. Saruwar Alam Khan, A.A.G with

Ms. Nargis Parvin (Alija), A.A.G

....For the Respondent No. 1

Heard on 19.11.2025

**Judgment delivered on 19.11.2025**

**Present:**

Mr. Justice Md. Shohrowardi

And

Mr. Justice Md. Sagir Hossain

**Md. Shohrowardi, J.**

On an application filed under Article 102 of the Constitution of the People's  
Republic of Bangladesh, 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 impugned order dated 19.06.2014 passed by the Land  
Survey Tribunal, Dhaka Metropolitan City, Dhaka, respondent No. 8,  
in Land Survey Tribunal Suit No. 1685 of 2014 rejecting the  
application under order 6 Rule 17 read with Section 151 of the Code of  
Civil Procedure should not be declared to have been passed without  
lawful authority and is of no legal effect and/or pass such other or  
further order or orders as to this Court may seem fit and proper.”

It appears that by the State Acquisition and Tenancy Act, 1950 (Amendment  
Act, 2023), the Government set up the Land Survey Appellate Tribunal in each  
District, empowering the District Judge to hear the appeal arising out of the judgment,

decree, or order passed by the Land Survey Tribunal. Although at the time of issuance of the Rule, there was no forum to prefer an appeal against the impugned order passed by the Land Survey Tribunal, now an alternative forum is available to the petitioner to file an appeal against impugned order dated 19.06.2014 passed by the Land Survey Tribunal, Dhaka Metropolitan City, Dhaka, respondent No. 8, in Land Survey Suit No. 1685 of 2014 rejecting the application under order 6 Rule 17 read with Section 151 of the Code of Civil Procedure. Therefore, there is no scope to dispose of the Rule considering merit.

Since the Land Survey Appellate Tribunals have been set up by amending the said Act, the petitioner is at liberty to file an appeal against the impugned order passed by the Land Survey Tribunal, Dhaka Metropolitan City, Dhaka, respondent No. 8, before the Land Survey Appellate Tribunal, Dhaka, within 3(three) months from the date.

In the result, the Rule is disposed of with the above direction and observation.

The order of stay granted earlier by this Court at the time of issuance of the Rule is hereby vacated.

However, there will be no order as to costs.

The petitioner is at liberty to take back the certified copy, substituting the photocopies thereon.

Communicate the judgment and order to the concerned Court below at once.

**Md. Sagir Hossain, J.**

I agree.