

IN THE SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION  
(CIVIL APPELLATE JURISDICTION)

**Present:**

**Mr. Justice Md. Badruzzaman.**

**And**

**Mr. Justice Sashanka Shekhar Sarkar**

**FIRST MISC. APPEAL No. 166 OF 2015**

**WITH**

**CIVIL RULE NO. 1072(F.M)/2014.**

Bir Muktijudda Abdul Hamid and another

...Appellants.

-Versus-

Secretary, Ministry of Homes, Bangladesh  
Secretariat, Dhaka,

....Respondents.

Mr. Faruque Alamgir Chowdhury, Advocate

... for the appellants

None appears

... for the respondents

**Heard and judgment on: 17.01.2024**

**Md. Badruzzaman,J**

This First Miscellaneous appeal arose out of an order dated 14.09.2014 passed by learned Joint District Judge, 1<sup>st</sup> Court, Brahmanbaria in Title Suit No. 120 of 2012 rejecting an application for temporary injunction.

At the time of admission of appeal on 04.12.2014 Rule was issued calling upon the opposite parties to show cause as to why order dated 14.09.2014 passed in the aforesaid suit should not be set aside and at the same time the parties were directed to maintain *status quo* in respect of possession and position of the suit land for period of 06 (six) months which was, subsequently, extended on 23.11.2015 till disposal of the Rule and the Rule was registered as Civil Rule No. 1072 (F.M) of 2014.

While disposing of First Appeal No. 269 of 2019 it transpired that the original suit being Title Suit No. 120 of 2012 has, in the meantime, disposed of vide judgment and decree dated 30.11.2016.

In the above premises the present First Miscellaneous Appeal No. 166 of 2015 and the Civil Rule No. 1072 (F.M) of 2014 have lost their force.

In that view of the matter First Miscellaneous Appeal No. 166 of 2015 is dismissed and Civil Rule No. 1072 (F.M) of 2014 is discharged as being infructuous.

**(Justice Md. Badruzzaman)**

**I agree.**

**(Mr. Justice Sashanka Shekhar Sarkar)**