

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

**Writ Petition No. 6057 of 2015.**

In the matter of:

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

-And-

**In the matter of:**

Md. Manjur Hasan

..... Petitioner

-Versus-

Government of the People's Republic of  
Bangladesh represented by the Secretary,  
Ministry of Electricity, Energy and Mineral  
Resources and others.

..... Respondents

Mr. M. A. Muntakim, Advocate

..... For the petitioner.

Mr. Lokman Karim, Advocate

. . . For the respondent No.2.

Present:

Mr. Justice J. B. M. Hassan

and

Mr. Justice Razik Al Jalil

Heard and Judgment on 18.01.2024.

**J. B. M. Hassan, J.**

The petitioner obtained the Rule Nisi in the following terms:

“Let a Rule Nisi be issued calling upon the respondents to show  
cause as to why they should not be directed to re-connect the Gas  
Line to the petitioner's New Chamak Foods' (formerly known as  
M/s. Jahanara Foods) situated at Sheikh Para, Ayrkubnagar,  
Sitakunda, Chattogram and/or pass such other or further order or  
orders as to this Court may seem fit and proper.”

Relevant facts leading to issuance of the Rule Nisi are that the  
petitioner is now proprietor of New Chamak Foods Bakery which was  
earlier in operation, in the name of M/s. Jahanara Foods. In the business of

M/s. Jahanara Foods, the petitioner had 50% shares along with one Mir Abu Taher who died later during running of the business. In the name of M/s. Jahanara Foods a gas line was taken from the Karnaphuli Gas Distribution Company Limited (KGDCL), Chattogram. But after death of Mir Abu Taher, due to certain arrear bills, the line was disconnected. In this backdrop, the petitioner filed this writ petition seeking direction to reconnect the gas line.

The Karnaphuli Gas Distribution Company Limited (KGDCL), Chattogram (respondent No.2) by filing an affidavit in opposition contends that the gas line was disconnected permanently from the M/s Jahanara Foods, and the petitioner being owner of the New Chamak Foods cannot claim reconnection.

We have heard both the parties.

It is on record that there was a gas line in favour of M/s. Jahanara Foods which was disconnected permanently on 16.06.2014. However, the petitioner's claims that since admittedly there was a gas line in the name of M/s. Jahanara Foods and it is also admitted position that M/s. Jahanara Foods has been newly renamed as New Chamak Foods, the petitioner is a consumer of the KGDCL in accordance with definition provided in 2(19) of the Gas Ain, 2010. It is also on record that the dispute arose due to arrear bills. In the circumstances, we are of the view that this dispute can be resolved in accordance with section 40 of the বাংলাদেশ এনার্জি রেগুলেটরি কমিশন আইন, ২০১৩.

With this observation, the Rule Nisi is disposed of.

The petitioner can raise his grievance before the Bangladesh Energy Regulatory Commissioner in accordance with section 40 of the বাংলা রেগুলেটরি কমিশন আইন, ২০১৩.

Communicate a copy of this judgment and order to the respondents at once.

**Razik Al Jalil, J**

I agree.