

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

Writ Petition No. 3822 of 2016.

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:

Sarder Mahmud Hossain.

..... Petitioner

-Versus-

The Secretary, Ministry of Energy and
Mineral Resources and others.

None appears

. . . For both the petitioner.

Ms. Khadiza Akther, Advocate

. . . For the respondents.

Present:

Mr. Justice J. B. M. Hassan

and

Mr. Justice Razik Al Jalil

Heard on 28.04.2024 and Judgment
on 29.04.2024.

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 disconnection of the Gas Supply to the Petitioner's company, namely, "CAMIO USA KNIYWEAR Ltd.", Kadda Nandan, Kadda Bazar, Islampur Gazipur Sadar, District-Gazipur having Customer Code No. 3321062 and subsequent decision of Permanent disconnection of Gas connection of the petitioner's company by adjusting security money issued by Respondent No. 5 vide Memo No. জেবি/১০৯/গাজী/১৩/৬১২ dated 20.03.2016 (Annexure-H) should not be declared to have been passed without lawful authority and is

of no legal effect and/or such other or further order or orders passed as to this Court may seem fit and proper.”

At the time of issuance of the Rule Nisi this Court also passed the following

interim order:

“Pending hearing of the Rule, the respondents are directed to reconnect the gas line to the petitioner’s company, namely, CAMIO USA KNIYWEAR Ltd., Kadda Nandan, Kadda Bazar, Islampur Gazipur Sadar, District-Gazipur subject to the condition that the petitioner shall pay 50% of the outstanding bills before reconnection and the rest 50% will pay within 06(six) months in 06(six) equal installments and first installment shall start from April, 2016. The petitioner shall also pay the regular bill in time, failing which the Rule shall stand discharged. The petitioner is directed to submit an affidavit-in-compliance showing such payment.”

The petitioner has not filed any affidavit in compliance making the payment as per Court’s order. As such, it is apparent that the petitioner did not comply with the Court’s order.

Hence the Rule is discharged in terms of the interim order.

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

Razik Al Jalil, J

I agree.