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

Present
Mr. Justice Sikder Mahmudur Razi
And
Mr. Justice Raziuddin Ahmed

Writ Petition No. 10264 of 2018

Kazi Md. Abdur Rahim
.....Petitioner.
-Versus-
The Government of Bangladesh
and others.
.....Respondents.
None appears
.....For the petitioner.
Mr. Md. Raju Mia, Advocate
.....For the respondent No. 3.

The 2nd December, 2025

This is an application for discharging the rule on the ground that the respondent No. 2, in the meantime, disposed of the petitioner's representation dated 29.07.2018 as directed by this court.

Mr. Md. Raju Mia, learned Advocate for the respondent No. 3-applicant-bank by filing an application submits that the instant writ petition was filed challenging an auction under section 12(3) of the Artha Rin Adalat Ain, 2003 and at the time of issuance of the rule, the court passed an interim order of stay of the auction for sale of the mortgaged property for a limited period which expired on 05.09.2018 and the petitioner did not take any steps to extend the order of stay. He next submits that at the time of issuance of rule this court directed the respondent No. 2 namely Governor, Bangladesh Bank to dispose of the petitioner's representation dated 29.07.2018 as evident in (Annexure-C) to the writ petition and the said respondent No. 2 already disposed of the same within that period. Therefore, the learned

Advocate for the respondent No. 3 applicant- bank prays for discharging the rule as being infructuous for ends of justice.

The application is not opposed.

We have heard the learned Advocate for the respondent No. 3-applicant bank. We have gone through the application and the relevant order dated 05.08.2018.

Since the respondent No. 2, namely Governor, Bangladesh Bank has already disposed of the petitioner's representation dated 29.07.2018 as evident in Annexure-I to the application for discharging the rule and the interim order of stay of the auction for sale of the mortgaged property expired on 05.09.2018 therefore, the instant rule has become infructuous.

In view of the facts and circumstances, we are inclined to allow the instant application and accordingly, the same is allowed.

Accordingly, the rule is discharged as being infructuous.

(Sikder Mahmudur Razi, J.)

(Raziuddin Ahmed, J.)