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. 15957 of 2025

Md. Badiuzzaman
.....Petitioner.
-Versus-
The Government of Bangladesh
and others.
.....Respondents.
None appears
.....For the petitioner.
Mr. Mohammad Ali, Advocate
.....For the respondent No. 3.

The 2nd December, 2025

This is an application for discharging the rule for non-compliance of the order of this court dated 28.09.2025.

Mr. Mohammad Ali, learned Advocate for the respondent No. 3-applicant by filing an application submits that at the time of issuance of the rule the court passed an interim order of stay of the auction process on condition that the petitioner shall pay 10% of the total outstanding dues within one month to the concerned Bank, failing which the rule shall stand discharged. The learned Advocate further submits that as per the order of the court, the petitioner did not pay 10% of the total outstanding dues which is gross violation, rendering the rule is liable to be discharged due to the non-compliance of the court's order.

We have heard the learned Advocate for the respondent No. 3-applicant bank. We have gone through the application and the relevant order dated 28.09.2025.

It appears that the petitioner was directed to pay 10% of the total outstanding dues within one month to the concerned Bank and it was in the order that on failure to comply with the order the rule shall stand discharged. According to the statement made by the respondent No. 3-applicant the petitioner failed to comply with the order of this court. As a result, in accordance with the terms of the order, the rule has now been discharged.

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

Resultantly, the rule is discharged for non-compliance of the court's order dated 28.09.2025 with cost of Tk. 10,000/-. The petitioner is directed to pay the said amount in the Account being No. 4435401017179 (savings account) maintained in the name of the Registrar General & Marshal of Supreme Court of Bangladesh, in default, the respondent bank will charge the said amount in the loan account of the petitioner and upon recovery of the dues will remit the said amount in the account mentioned above.

(Sikder Mahmudur Razi, J.)

(Raziuddin Ahmed, J.)