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

Writ Petition No. 2986 of 2023

In the matter of:

An application under Article 102 of the
Constitution of the People's Republic of
Bangladesh

AND

In the matter of:

Md. Shamsul Alam Mondal

..... Petitioner

-Versus-

Bangladesh Bank and others

.... Respondents

Mr. Md. Shaikhul Islam, Advocate

.....for the petitioner

Mr. Sheikh Mohammad Zakir Hossain with

Ms. Raziah Sultana, Advocates

...for the respondent No.7-Sonali Bank Ltd.

The 19th July, 2023

Present:

Justice Muhammad Khurshid Alam Sarkar

&

Justice Sardar Md. Rashed Jahangir

Earlier on 14.03.2023, the petitioner had furnished a Pay Order amounting to Tk. 1,00,000/- (one lac) only towards adjustment of the decretal amount and the learned Advocate for the petitioner prayed for allowing the petitioner to settle the dispute amicably out of the Court. Accordingly, the prayer was allowed by this Court.

Today, when the matter is taken up for hearing, it appears to this Court that the parties failed to settle the dispute amicably out of Court and from the affidavit filed by the respondent No.7-Sonali Bank Ltd., it surfaces that as of 02.04.2023, the amount dues to the petitioner is 9,10,725/- (nine lac ten thousand seven hundred and twenty five) only.



বাংলাদেশ
কোর্ট ফি
দুই
তাকা

After hearing the learned Advocate for both the sides, it appears to this Court that since the petitioner has already deposited Tk. 1,00,000/- (one lac) only before this Court through Pay Order, if the instant Rule is disposed with a direction upon the petitioner to pay off the rest amount of Tk. 8,10,725/- (eight lac ten thousand seven hundred and twenty five) only within a stipulated time, then, there will be an effective disposal of this matter.

Accordingly, the instant Rule is disposed off with the following directions;

- (i) The petitioner is directed to pay off the rest amount of Tk. 8,10,725/- (eight lac ten thousand seven hundred and twenty five) only within 60 (sixty) days failing which the Bank shall be competent to proceed in accordance with law after expiry of 60 (sixty) days.
- (ii) If the petitioner pays the aforesaid amount within the aforesaid stipulations, the Bank is directed to return the property-in-question in favour of the petitioner.
- (iii) The Registrar of High Court Division is directed to handed over the aforesaid Pay Order being No. POE-0075904 dated 13.06.2023 amounting to Tk. 1,00,000/- (one lac) only to Ms. Raziah Sultana, the learned Advocate for the respondent No.7- Sonali Bank Ltd.

Communicate this Order at once.

M.K.A. Sarkar.

Sardar Md. Rashed Jahangir, J.

I agree

S. Rashed Jahangir.

Typed by: Monir:02.11.23.

Read by: 02.11.23

Exam by: 02-11-23

Readied by: 02-11-23

02.11.23
মুহাম্মদ মোস্তফা শিকদার
প্রশাসনিক কর্মকর্তা

02.11.23
মোঃ মাক্কুল ইসলাম খান
সুপারিনটেন্ডেন্ট

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