

**VOLUME XXXIII**

**2013**

# **BANGLADESH LEGAL DECISION**

**APPELLATE DIVISION  
CASES REPORTED**

## **CIVIL JURISDICTION**

|  |       |
|--|-------|
| Bangladesh Biman Corporation & Ors. v. Md. Zahangir Farazi & Ors.<br>(Civil) (Md. Abdul Wahhab Miah, J)        | — 253 |
| Bangladesh Jute Mills Corporation v. Md. Mahbubur Rahman & Another<br>(Civil) (Md. Abdul Wahhab Miah, J)       | — 124 |
| Bimal Chandra Sen Vs. Md. Waliullah (Civil) (Md. Abdul Wahhab<br>Miah, J)                                      | — 313 |
| Dhaka City Corporation v. Firoza Begum & Ors. (Civil) (Syed Mahmud<br>Hossain, J)                              | — 209 |
| Esrarul Huq Chowdhury v. Md. Amir Hossain, Advocate & Anr. (Civil)<br>(Md. Muzammel Hossain, C, J) (Continued) | — 323 |
| Govt. of Bangladesh v. Orex Network Ltd. & Ors. (Civil) Syed Mahmud<br>Hossain, J;                             | — 28  |
| Govt. of Bangladesh & Ors. v. Md. Yousuf Ali & Ors. (Civil) Syed<br>Mahmud Hossain, J;                         | — 64  |
| Govt. of Bangladesh & Ors. v. Mir Md. Imam Hossain. (Civil) (S. K.<br>Sinha, J)                                | — 69  |
| Govt. of BD. Ministry of Housing & Public Works. v. A.T.M. Mannan &<br>Anr. (Civil) (Syed Mahmud Hossain, J)   | — 353 |
| Gulf Air Company GSC & Anr. & Ors. v. Travbel Trade Ltd. & Ors.<br>(Civil) (Md. Abdul Wahhab Miah, J)          | — 341 |
| Ibrahim Khalil & Ors. v. Mujibir Rahman & Ors. (Civil) (Syed Mahmud<br>Hossain, J)                             | — 347 |
| Janata Bank & Ors. v. M/S. Haque Commercial Syndicate (Civil) Md.<br>Muzammel Hossain, J;                      | — 1   |
| Md. Abul Kashem & Ors. v. Mahmudul Hasan & Ors. (Civil) (Syed<br>Mahmud Hossain, J)                            | — 85  |
| Md. Asgar Ali v. Md. Shahidul Islam P.K. & Ors. (Civil) Md. Abdul<br>Wahhab Mia, J;                            | — 57  |
| Md. Atiq & Anr. v. Nurun Nahar Begum & Ors. (Civil) Md. Abdul Wahhab<br>Mia, J;                                | — 6   |
| Md. Atiq & Anr. v. Nurun Nahar Begum & Ors. (Civil) Md. Abdul<br>Wahhab Mia, J;                                | — 217 |

|  |       |
|--|-------|
| Md. Habibur Rahman Bhuiyan & Ors. v. Mosammat Galman Begum & Ors. (Civil) (Md. Muzammel Hossain, C.J; and Ors. JJ)   | — 93  |
| Md. Mintu Chowdhury v. Khurshid Nayeem & Ors. (Civil) (Md. Abdul Wahhab Miah, J)   | — 72  |
| Md. Salim Hossain & Ors. v. Artha Rin Adalat, First Court, Munshigonj & Ors. (Civil) (Syed Mahmud Hossain, J)  | — 274 |
| Monowarul Huq & Ors. v. Bangladesh & Ors. (Civil) Surendra Kumar Sinha, J;   | — 49  |
| Renuza Begum & Ors. v. Kulsum Begum & Ors. (Civil) (S.K. Sinha, J)   | — 295 |
| Secretary, Bangladesh Bar Council & Ors. v. A.F.M. Foiz and others (Civil) Syed Mahmud Hossain, J; (Continued)   | — 38  |
| Secretary, Ministry of Establishment & Ors. Vs. Amzad Hossain & Ors (Civil) (Md. Abdul Wahhab Miah, J)   | — 303 |
| Sheikh Moqbul Ahmed & Ors. Being dead their Heirs v. Ms. Nurunnahar Begum (Civil) (Nazmun Ara Sultana, J)  | — 271 |
| Siddique Ahmed v. Government of Bangladesh & Ors. (Civil) (A.B.M. Khairul Haque, C.J.) (Continue)  | — 129 |
| State Bank of India v. Sabinco & Ors. (Civil) (Syed Mahmud Hossain, J);  | — 239 |
| Sunshine Cables & Rubber Works Ltd. & Ors. v. National Board of Revenue & Ors. (Civil) (Md. Muzammel Hossain, J)   | — 281 |
| TaeHung Packaging (BD) Ltd. & Ors. v. Bangladesh & Ors. (Civil) (Md. Muzammel Hossain, C.J; S.K. Sinha, J, Md. Abdul Wahhab Miah, J; Md Imman Ali J; Md MamtaZ Uddin Ahmed J; Md Shamsul Huda J; | — 359 |

---

## CRIMINAL JURISDICTION

|   |       |
|---|-------|
| Habibur Rahman @ Habu & Ors. v. The State. (Criminal) (Surendra Kumar Sinha, J) | — 117 |
| The State v. Kazi Mahbubuddin Ahmed (Criminal) (Surendra Kumar Sinha, J)        | — 245 |

---

# BANGLADESH LEGAL DECISION

## HIGH COURT DIVISION

### CASES REPORTED

### CIVIL JURISDICTION

|   |                   |       |
|---|-------------------|-------|
| Amitosh Das v. Animesh Das & Ors. (Civil) (Continued)   | Md. Nuruzzaman, J | — 71  |
| Anwar Hossain v. Md. Shahidul Islam & Ors. (Civil) (A.N.M. Bashir Ullah J)                              |                   | — 243 |
| Begum Mariam v. Sk. Lal Mohammad (Civil) (A.F.M. Ali Asgar, J)  |                   | — 275 |
| Bimol Rosario. v. Barbara Risario & Ors. (Civil) (Sheikh Abdul Awal, J)                                 |                   | — 248 |
| Dr. A.H. Md. Ali Haider Qureshi. v. Dr. Ali Asker Qureshi (Civil)<br><i>(Soumendra Sarker, J)</i>       |                   | — 169 |
| বদিউজ্জামান এর মৃত্যুতে তাহার ওয়ারিশগণ v. ডেপুটি কমিশনার চাঁদপুর (Civil) (এ, এফ, এম, আব্দুর রহমান, J.) |                   | — 307 |
| Md. Hossain Ali & Ors. V. Most. Hajera Khatun & Ors. (Civil) (Shahidul Islam, J)                        |                   | — 318 |
| Nur Mohammad & Ors. v. Govt. of Bangladesh & Ors. (Civil) (A.N.M. Bashir Ullah, J)                      |                   | — 344 |
| Goenka Impex S.A. v. Tallu Spinning Mills Ltd. (Civil) ( Md. Nuruzzaman, J)                             |                   | — 321 |
| Shamsuddin & Ors. v. Musleh Uddin Ahmed & Ors. (Civil) (A.F.M. Abdur Rahman, J)                         |                   | — 351 |
| Mizanur Rahman (Md) v. Secretary, Ministry of Finance (Civil) (Sharif Uddin Chaklader, J)               |                   | — 393 |
| Babul Chandra Sheel. v. Rupali Bank Ltd. & Ors. (Civil) (Sheikh Abdul Awal, J)                          |                   | — 403 |
| Bangladesh, Represented by DC. Pabna. v. Md. Abul Kashem & Ors. (Civil) (Sheikh Abdul Awal, J)          |                   | — 429 |
| Md. Serajul Islam v. Mrs. Hosneara Begum & Ors. (Civil) (Md. Nuruzzaman, J)                             |                   | — 433 |
| Grameen Telecom,Grameen Bank v. The Commissioner of Taxes. (Civil) (Ms. Zinat Ara, J)                   |                   | — 108 |
| Janata Bank & Ors. v. M/S. Haque Commercial Syndicate (Civil) Md. Abdul Wahhab Miah, J.                 |                   | — 54  |

|  |                |
|--|----------------|
| Md. Salamat Hossain v. Meherunnesha Chowdhury's heirs. (Civil)<br>(Sheikh Abdul Awal, J)   | — 289          |
| Most. Renu Begum v. Khandokar Enamul Mowla & Ors. (Civil) (Sheikh Abdul Awal, J)   | — 117          |
| Musammat Nahida Sultana v. Md. Bazlur Rahman Khan & Ors. (Civil) Sheikh Abdul Awal, J;   | — 1            |
| Sabera Khatun & Ors. v. Sena Kalyan Sangstha & Ors. (Civil) (Sheikh Abdul Awal, J)   | — 197          |
| Sonali Bank Ltd. & Ors. v. Syed Sakhawat Hossain & Ors. (Civil) ( <i>Md. Rezaul Hasan, J</i> )<br>স্পেস্ট্রা কলেজশান সেন্টার লিঃ এবং অন্যান্য বনাম ডঃ গোলাম মোর্শেদ আহমেদ এবং অন্যান্য (Civil) (এ.এফ.এম. আব্দুর রহমান, বিচারপতি) | — 142<br>— 423 |
| Sree Chandan Ranjan Sarker v. Govt. of Bangladesh & Ors. (Civil) Sheikh Abdul Awal, J  | — 62           |

---

## CRIMINAL JURISDICTION

|  |       |
|--|-------|
| Abul Kashem v. The State (Criminal) (Syed Md. Ziaul Karim, J)                                  | — 282 |
| Alam @ Md. Alam & Ors. v. The State (Criminal) ( <i>Shahidul Islam, J</i> )                    | — 151 |
| Amanat Ali @ Amanat Fakir & Anr. v. The State (Criminal) (Md. Abu Zafor Siddique, J)           | — 348 |
| Bidhan Chandra Roy & Ors. v. The State & Ors. (Criminal) (Syed Md. Ziaul Karim, J)             | — 359 |
| Habib Khan v. The State (Criminal) (Siddiquur Rahman Miah, J)                                  | — 239 |
| Kazi Khairuzzaman & Ors. v. The State (Criminal) Siddiquur Rahman Miah, J                      | — 57  |
| Mahbub Hassan v. The State (Criminal) (Anwarul Haque, J)                                       | — 83  |
| Md. Biplob Ashraf & Ors. v. The State & Anr. (Criminal) ( <i>Md. Abu Zafor Siddique, J</i> )   | — 166 |
| Md. Ibrahim Gharami v. The State (Criminal) (Sheikh Hassan Arif, J )                           | — 206 |
| Md. Iftekharul Karim v. The State (Criminal) ( <i>M. Enayetur Rahim, J</i> )<br><i>(Contd)</i> | — 296 |
| Md. Nur Alam & Anr. v. The State (Criminal) (Mohammad Ullah, J)                                | — 411 |
| Md. Samidul & Ors. v. The State (Criminal) (Syed Md. Ziaul Karim, J)                           | — 401 |
| Mostafa Kamal v. The State & Anr. (Criminal) (Sheikh Rezowan Ali, J)                           | — 77  |
| Mr. Yunusuzzaman (Badal) v. The State & Anr. (Criminal) (K.M. Kamrul Kader, J)                 | — 455 |
| Soumitra Sankar Das & Anr. v. The State & Anr. (Criminal) (Moyeenul Islam Chowdhury, J)        | — 91  |
| The State v. Farid Miah & Ors. (Criminal) Bhabani Proshad Singha, J;                           | — 22  |

---

## **SPECIAL ORIGINAL JURISDICTION (WRIT)**

|  |       |
|--|-------|
| A.K.M. Enayet Ullah v. Bangladesh & Ors. (Writ) (Muhammad Khurshid<br>Alam Sarkar, J)                            | — 214 |
| A.K.M. Fazlul Karim v. Bangladesh & Anr. (Writ) Moyeenul Islam<br>Chowdhury, J;                                  | — 7   |
| Advocate Manzill Murshid. v. Bangladesh & Ors. (Writ) (A.H.M.<br>Shamsuddin Choudhury, J) (Continued)            | — 121 |
| Kazi Md. Akhtaruzzaman & Ors. v. Bangladesh & Ors. (Writ) ( <i>Moyeenul<br/>Islam Chowdhury, J</i> ) (Continued) | — 173 |
| M/S. R.N. Shipping Lines v. B.I.W.T.C & Ors. (Writ) (A.H.M. Shamsuddin<br>Choudhury, J)                          | — 253 |
| Md. Abdul Bari & Ors. v. Govt. of Bangladesh & Ors. (Writ) (Moyeenul<br>Islam Chowdhury, J)                      | — 321 |
| Md. Abdul Mukidh v. Artha Rin Adalat, Khulna & Anr. (Writ) (Sheikh<br>Hassan Arif, J)                            | — 304 |
| Sk. Abdul Momin v. Govt. of Bangladesh & Ors. (Writ) (Sheikh Hassan<br>Arif, J)                                  | — 443 |
| Unique Hotel & Resorts Ltd. & Ors. v. The Govt. of Bangladesh & Ors.<br>(Writ) (Moyeenul Islam Chowdhury, J)     | — 376 |

---

## **STATUTORY ORIGINAL JURISDICTION**

|  |       |
|--|-------|
| Md. Shahadat Hossain & Ors. v. National Board of Revenue & Ors.<br>(Customs) (Sheikh Hassan Arif, J) | — 261 |
|--|-------|

---

**VOLUME XXXIII**

**2013**

## **BANGLADESH LEGAL DECISION JOURNAL SECTION**

|   |      |
|---|------|
| About the Editor  | — 1  |
| Editorial Note  | — 3  |
| Judicial Crisis in Bangladesh-Necessity for reformation— Khandker Mahbub Hossain,<br>Senior Advocate, Bangladesh Supreme Court. | — 5  |
| Editorial   | — 9  |
| Editorial Note  | — 11 |

---