

The 07th day of November, in the year of two thousand twenty two.

Present:

Mr. Justice K.M. Kamrul Kader

-And-

Mr. Justice Mohammad Ali

AND

IN THE MATTER OF:

Md. Saiful Islam Son of Mustafizur Rahman of Village- Haramia Ongsha, Ward No. 8, Swandip Pourashava Police Station- Swandip District- Chattogram.

..... Petitioner.

-VERSUS-

Bangladesh, Represented by the Secretary, Local Government Division, Ministry of Local Government, Rural Development and Co-operatives, Bangladesh Secretariat, Shahbag, Dhaka and others.

..... Respondents.

To.

1. Bangladesh, Represented by the Secretary, Local Government Division, Ministry of Local Government, Rural Development and Co-operatives, Bangladesh Secretariat, Shahbag, Dhaka.
2. Divisional Commissioner, Chattogram Division, Chattogram.
3. Director (Additional Charge), Local Government, Chattogram Division, Chattogram and Member Secretary, Inter District and Inter Divisional Ferry Ghat Lease Committee.
4. Deputy Commissioner, Chattogram.
5. Deputy Commissioner, Noakhali.
6. Conveynor, Khas Collection Committee and Sub-Assistant Engineer, Zilla Parishad, Chattogram.
7. Ibrahim Khalil Ullah, son of Md. Sayedul Haque, Village: Char Alaaddin Abdul Hoque Maji's House, Police Station- Subornachar, District- Noakhali.

Whereas the petition above mentioned has been preferred by the petitioner above named to this court against, Impugned letter contained in memo No. 05.42.0000.041.05.043.22-510 dated 17.08.2022 (Annexure- D) issued under the Signature of the Respondent No. 3 to give lease in favour of the Respondent No. 7 of Char Alaaddin-Orirchar Inter District Ferry Ghat under the ownership of Chattogram- Noakhali Zilla Parishad. AND Direction upon the Respondents to handover possession and position to the petitioner of Char Alaaddin- Orirchar Inter District Ferry Ghat under the ownership of Chattogram- Noakhali Zilla Parishad pursuant to the memo No. জেপ/চট/২০২২-৩৩৫১ dated 30.06.2022 (Annexure- B).

Now upon hearing, Mr. Md. Motiur Rahman, Advocate For the Petitioner and Mr. ABM Abdullah Al Mahmud, DAG with Mr. Ashique Rubaiat, AAG and Mr. Awlad Hossain, AAG and Mr. Anhiqul Haque, AAG and Mr. Mehedi Hasan, AAG Ms. Zulfia Akhter, AAG For the Respondents and upon consideration of the said petition this Court doth order and do issue a Rule Nisi calling upon you the aforesaid respondents to show cause on or before the 05th day of December, 2022 as to why the impugned letter contained in Memo No.05.42.0000.041.05.043.22-510 dated 17.08.2022 (Annexure- D) issued under the signature of the Respondent No. 3 giving lease in favour of the Respondent No. 7 of Char Alaaddin-Orirchar Inter District Ferry Ghat under the ownership of Chattogram- Noakhali Zilla Parishad should not be declared to have been passed without lawful authority and is of no legal effect and as to why a direction should not be given upon the Respondents to handover possession and position of Char Alaaddin- Orirchar Inter District Ferry Ghat under the ownership of Chattogram- Noakhali Zilla Parishad pursuant to the memo No. জেপ/চট/২০২২-৩৩৫১ dated 30.06.2022 (Annexure- B) to the petitioner and/or such other or further order or orders passed as to this Court may seem fit and proper.

Pending disposal of the Rule, let the operation of the impugned Memo No. 05.42.0000.041.05.043.22-510 dated 17.08.2022 (Annexure- D) be stayed for a period of 03(three) months from dated.

The petitioner is directed to put in requisites for service of notices upon the respondents in usual course and through registered post within 48 hours from date.

Witnesses: Mr. Justice Hasan Foez Siddique, the Hon'ble Chief Justice of Bangladesh on this the 07th day of November, in the year of two thousand twenty two.

Typed by: Altaf.16.11.2022.

Superintendent

16.11.22

Assistant Registrar.

16.11.22

২) মজলিসিচালক	৩) উন্নয়ন
৩) যুগ্মসচিব	৪) পানি সরবরাহ (পাস)
৪) যুগ্মসচিব (পরিকল্পনা)	৫) উপজেলা প্রশাসনা
	৬) ইউপি প্রশাসনা
	৭) বাড়ি প্রশাসনা
	৮) জরিপ প্রশাসনা
ডায়েরি নংঃ	তারিখঃ
২২/১১/২২	১৬/১১/২২