

(SPECIAL ORIGINAL JURISDICTION)
WRIT PETITION NO. 11480 of 2022

The 26th day of September, in the year of two thousand twenty two.

Present:

Mr. Justice Md. Ruhul Quddus

And

Mr. Justice S.M. Maniruzzaman.

IN THE MATTER OF:

Md. Monjurul Haq Monju Son of Salim Uddin Akand Village-Shukhanpukur Police Station-Gabtolli District-Bogura.

১) অতিরিক্ত সচিব	২) নগর উন্নয়ন
২) মহাপরিচালক	৩) উন্নয়ন
৩) যুগ্মসচিব	৪) পানি সরবরাহ (পাল)
৪) যুগ্মসচিব (পরিকল্পনা)	৫) উপজেলা অধিশাখা
ডায়েরি নং: ২৬/১০/২২	৬) ইউপি অধিশাখা
তারিখ: ২৬/১০/২২	৭) সার্বিক অধিশাখা
	৮) আইন অধিশাখা

.....Petitioner

.VERSUS-

Government of the People's Republic of Bangladesh, represented by the Secretary, Ministry of Local Government, Rural Development and Co- Operatives, Bangladesh Secretariat, Shahbagh, Dhaka and others.

.....Respondents.

To.

1. Government of the People's Republic of Bangladesh, represented by the Secretary, Ministry of Local Government, Rural Development and Co- Operatives, Bangladesh Secretariat, Shahbagh, Dhaka.
2. Election Commission represented by the Chief Election Commissioner, Election Commission Secretariat, Sher- E-Bangla Nagar, Agargaon, Dhaka-1207.
3. Appellate Authority, Bogura Zila Parishad Election-2022 and Additional Divisional Commissioner (Development & I.C.T.), Rajshahi Division Commissionerate, Rajshahi.
4. Returning Officer, Bogura Zila Parishad Election-2022 and Deputy Commissioner, Bogura.

Whereas the petition above mentioned has been preferred by the petitioner above named to this court against, Order dated 21.09.2022 passed in Appeal No. 01 of 2022 by the Respondent No. 03 (Annexure-C-1) dismissing the appeal by affirming the order dated 18.09.2022 passed by the Respondent No. 04 (Annexure-B) canceling the nomination paper of the petitioner for the post of Member of Ward No. 10 of Bogura Zila Parishad, Bogura and A direction upon the respondent Nos. 03 and 04 to accept the nomination paper of the petitioner and allocate symbol to contest in the ensuing election for the post of Member of Ward No. 10, Bogura Zila Parishad Election-2022, Bogura.

Now upon hearing Mr. Mohammad Ali Khan, Advocate for the petitioner Mr. Towhidul Islam, Advocate for the Election Commission 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 24th day of October, 2022, as to why the order dated 21.09.2022 passed by the Additional Divisional Commissioner (Development and ICT), Rajshahi Division and Appellate Authority, Bagura Zila Parishad Election-2022 in Appeal Case No.01 of 2022 (Annexure-C-1 to the Writ Petition) affirming the order dated 18.09.2022 passed by the Deputy Commissioner, Bagura and Returning Officer, Bagura Zila Parishad Election-2022 cancelling the nomination paper submitted by the petitioner to contest the upcoming Bagura Zila Parishad Election-2022 as a Member Candidate thereof should not be declared to have been made without lawful authority and is of no legal effect and why the respondents should not be directed to allow the petitioner to contest the upcoming Bagura Zila Parishad Election 2022 by allocating him a symbol as a Member Candidate and/or such other further order or orders should not be passed as to this Court may seem fit and proper.

Pending hearing of the rule, operation of the impugned order is stayed for a period of 02 (two) months.

Respondents are directed to allow the petitioner to contest the ensuing election allocating him a symbol and doing the needful.

Witnesses: Mr. Justice **Hasan Foez Siddique**, performing the functions of the Hon'ble Chief Justice of Bangladesh on this the 26th day of September, in the year of two thousand twenty two.

Superintendent

Assistant Registrar

Typed by: Rubel: 02.10.2022

Read by: 3-10-22

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