

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

WRIT PETITION ON OF 2012

IN THE MATTER OF:

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

AND

IN THE MATTER OF:

Public Interest Litigation (PIL).

AND

IN THE MATTER OF:

1. Human Rights and Peace for Bangladesh (HRPB) Represented by the Secretary of the Executive Committee Asaduzzaman Sddiqui , Advocate, Supreme Curt of Bangladesh, Hall No. 2, Supreme Court Bar Association Bhaban, Dhaka, Bangladesh.

2. Advocate Aklasuddin Bhuiyan , Advocate, Supreme Curt of Bangladesh, Hall No. 2, Supreme Court Bar Association Bhaban, Dhaka, Bangladesh.

.....Petitioners.

-VERSUS-

1. Bangladesh represented by the Secretary, Ministry of Environment, Bangladesh Secretariat, P.S. Shahbag, Dhaka, Bangladesh.

2. The Vice Chancellor, Dhaka University, Post and P.S.- Shahbag, Dhaka, Bangladesh.

3. The Registrar , Dhaka University, Post and P.S.- Shahbag, Dhaka, Bangladesh.

4. The Superintendent Engineer, Dhaka University, Post and P.S.- Shahbag, Dhaka, Bangladesh.

5. The Officer In Charge (O.C.), Shahbag Thana, P.S. Shahbag, Dhaka, Bangladesh.

..... Respondents

G R O U N D S -

I. For that the duty and responsibility vested upon the respondents to serve the people and initiate lawful steps and they are also duty bound to obey the provisions of law. But the respondents have failed to perform the duties and responsibility as vested upon them and by way of violating the provision of law the sports ground are using for business purpose instead of , which is illegal.

II. For that such disregard to laws and legal provisions and failure to ensure proper implementation of laws have caused enough damage to the environment of the area and adversely affecting the rights of the students of Dhaka University and as such the respondents are required to be directed to protect the sports ground in accordance with law.

III. For that under Section 5 of the Government of Bangladesh Act, 2000, also prohibits change of the nature of any land that has been earmarked as a sports ground. As per section 8 of the Act 2000 any person who acts in contravention of the Act is liable to imprisonment not exceeding 5 years or a fine not exceeding Taka 50,000 or both. In spite of that provision of law a project is going to be implemented. Hence direction should be given to stop illegal encroachment of sports ground situated at Dhaka University Area, P.S. Shahbag, Dhaka.

Wherefore, it is most humbly prayed that your Lordships would graciously be pleased to:-

- a) Issue a Rule Nisi calling upon the Respondents to show cause as to why a direction should not be given upon the respondents to protect and maintain the character of central sports ground of the Dhaka University in an effective manner as per the provision of law
- b) Pending hearing of the rule direct the respondent no. 2-5 to remove the construction material from the Dhaka University sports ground and to ensure the rights of the Dhaka University students to continue sports activities in the area which was officially recognized as central sports ground of the Dhaka University, within 48 hours and submit a compliance report through affidavit within 2 weeks before this court.

Present Status

The case was filled and moved by Advocate Manzill Murshid, President, HRPB. After hearing the parties the Hon'ble Court issued Rule Nisi upon the respondents and granted ad-interim order. The matter is pending before the Hon'ble High Court Division.
