

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

WRIT PETITION ON OF 2010

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 Advocate Asaduzzaman Siddiqui Hall No-2, Supreme Court Bar Association Bhaban, Dhaka, Bangladesh.
.....Petitioner.

-VERSUS-

1. Bangladesh represented by the Cabinet Secretary, Cabinet Division, Prime Ministers Office, Tejgaon, Dhaka, Bangladesh.

2. The Secretary, Ministry of Cultural Affairs, Bangladesh Secretariat, P.S- Shahbag, Dhaka.

3. The Secretary, Ministry of War & Liberation Affairs, Bangladesh Secretariat, P.S - Shahbag, Dhaka.

4. The Vice Chancellor, Dhaka University, Post-Raman, Dhaka, Bangladesh

5. The Mayor, Dhaka City Corporation, City Corporation Bhaban, P.S- Ramna, Dhaka.

6. The Chief Engineer, Public Works Department (PWD), Shegunbagicha, Dhaka, Bangladesh.

7. The Chief Architect, Department of Architecture, Shegunbagicha, Dhaka, Bangladesh.

..... Respondents

AND

IN THE MATTER OF:

For a direction upon the respondents to take steps to maintain sanctity and honor of the central Shaid Minar at Dhaka and to build a museum there so that the visitors can get knowledge about the historical Bengali Language Movement.

G R O U N D S :

I. For that disregard to provision of law and failure to ensure proper implementation of laws, caused enough damage to sanctity and honor of the Central Shahid Minar. Under these circumstances the respondents are legally bound to protect the historical place such as the place in where the heroes of language movement devoted their lives.

II. For that the duty and responsibility vested upon the respondents to serve the people and initiate lawful steps and the respondents 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 also failed to protect the above mentioned historical place, which is illegal. Under these circumstances the respondents are liable to take immediate steps to protect sanctity and honor of the central shahid minar and also to take steps to build a standard museum there so that the visitors can get knowledge about the historical Bengali Language Movement.

III. For that such disregard to laws and legal provisions and failure to ensure proper implementation of laws have caused enough damage to the sanctity and honor and as such the respondents are required to be directed to protect the above mentioned historical places in accordance with law.

IV. For that as per Article 24 of the Constitution of Bangladesh the respondents are duty bound to adopt measures for the protection of historic importance place or interest. Central Shahid Minar at Dhaka was established in a place where many Bengalis devoted their lives in order to protect mother language of Bengalis. It is a historical place. But most of the days except 21st February, it is using for may purpose which is destroying the sanctity and honor of the Shahid Minar. Though thousands of national and international visitors come to visit central shahid minar but no arrangement is available to get any information about the language movement.

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 take steps to maintain sanctity and honor of the central Shaid Minar at Dhaka in a respectful manner and to build a standard museum there so that the visitors can get knowledge about the historical Bengali Language Movement.

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.
