

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

WRIT PETITION NO. _____ OF 2013.

IN THE MATTER OF:

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

AND

IN THE MATTER OF:

Public Interest Litigation (PIL)

AND

IN THE MATTER OF:

Advocate Asaduzzaman Siddique, Supreme
Curt of Bangladesh, Hall No. 2, Supreme
Court Bar Association Bhaban, Dhaka,
Bangladesh.

.....Petitioner.

-V E R S U S-

1. Bangladesh represented by the
Secretary, Ministry of Law, Justice and
Parliamentary Affairs, Bangladesh
Secretariat, Police Station- Shahbag, Dhaka,
Bangladesh.

2. Bangladesh Bar Council represented
by the Secretary, Bangladesh Bar Council
Dhaka-1000.

3. Md. Taha Molla, Advocate,
Bangladesh Supreme Court, and the Editor,
the Bangladesh Legal Decisions, a monthly
law journal published by the Bangladesh Bar
Council, Dhaka-1000.

.....Respondents.

AND

IN THE MATTER OF:

Violation of Article 152 of the Constitution
of Bangladesh by usurping the dignity of
the judge of the Supreme Court of
Bangladesh.

FOUNDATIONS:

I. For that by using the word/ designation: judge with the name of Md. Taha Molla and by allowing the same to be printed on BLD, the respondents have violated the provisions of the Constitution of Bangladesh.

II. For that as per the Article 152 of the Constitution of Bangladesh, "judge" only means a judge of a division of the Supreme Court, which does not include anyone else and by using the term: judge the respondents have lowered the dignity of judge of the Supreme Court of Bangladesh.

III. For that Md. Taha Molla has falsely personified himself as the judge of the Supreme Court of Bangladesh, which is beyond the spirit of the Constitution of Bangladesh and is also clear violation of the provisions of the Constitution of Bangladesh. For that the respondents' inaction to the matter to prohibit the use of word/designation: judge has raised a concern and hence it is necessary to keep the dignity of the judge of the Supreme Court.

IV. For that by the actions of the respondents the provisions of the Constitution of Bangladesh are not upheld and dignified.

X. For that the Constitution of Bangladesh being the supreme law of the land, the word: judge should be interpreted in light of the Constitution of Bangladesh.

Wherefore, it is most humbly prayed that Your Lordships would graciously be pleased to;-

a) A Rule Nisi calling upon the respondents to show cause as to why a direction should not be given upon the respondent No. 1 to issue a circular to all concern giving a direction not to use the word/designation: Judge as a part of one's name, who is not a judge of the Supreme Court of Bangladesh.

b) Direct the respondents not to use the word/designation: judge in the Bar Council law journal: BLD with the name of Md. Taha Molla, the editor of the BLD till the hearing of the rule.

Present Status

The case was filed 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.
