

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

WRIT PETITION NO. _____ OF 2015.

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:

1. Human Rights and Peace for Bangladesh
(HRPB) represented by its secretary, Advocate
Asaduzzaman Siddiqui, Hall No. 2, Supreme
Court Bar Association Building, Ramna, Dhaka,
Bangladesh.

2. Advocate Mahabubul Islam, Supreme Court of
Bangladesh, Hall No. 2, Supreme Court Bar
Association Bhaban, Dhaka, Bangladesh.

.....Petitioners.

-V E R S U S-

1. Bangladesh represented by the Secretary,
Ministry of Civil Aviation, Bangladesh Secretariat,
P.S.: Shahbag Dhaka.

2. The Chairman, Civil Aviation Authority of
Bangladesh, Headquarters, Kurmitola, Dhaka-1229.

3. The Managing Director, Biman Bangladesh
Airlines Ltd., Head Office, Balaka, Kurmitola,
Dhaka-1229.

4. The Director, Hazrat Shahjalal International
Airport, Kurmitola, Dhaka-1229, Bangladesh.

5. The General Manager
(Operation/Administration), Biman Bangladesh
Airlines Ltd., Head Office, Balaka, Kurmitola,
Dhaka-1229.

6. Mr. Abdullah Al Mahamud, DSO, Civil
Aviation Authority of Bangladesh, Headquarters,
Kurmitola, Dhaka-1229.

7. The Chief Controller/Aerodrome Officer/Head
of Tower Control, Tower Control, Hazrat Shahjalal
International Airport, Kurmitola, Dhaka-1229,
Bangladesh.

8. The Assistant Aerodrome Officer, Tower Control, Civil Aviation Authority, Headquarters, Kurmitola, Dhaka-1229.

... Respondents

AND

IN THE MATTER OF:

For a direction to take immediate steps to provide all the required facilities and benefits including mandatory Boarding Bridge facilities to all flights of Biman Bangladesh Airlines Ltd. at Hazrat Shahjalal International Airport (HSIA), Dhaka as well as at all other international airports of Bangladesh.

GROUNDS

I. For that the Civil Aviation Authority, Bangladesh functions as the regulatory body for all aviation related activities in Bangladesh being responsible for safe, expeditious and efficient flow of air traffic within the International geographic boundary of Bangladesh along with being the custodian of all airfields and allied facilities including air navigation facilities.

II. For that the Tower Authority is responsible for providing boarding bridge facilities to flights. That the Tower Authority works under the Civil Aviation Authority. Due to not providing boarding bridge facilities to Biman Bangladesh flights by Tower Authority, Biman Bangladesh flights have to usually land flights in the middle of the field. Hence, many passengers are losing their interest in flying by Bangladesh Biman, which helps to accumulate huge financial loss to Biman Bangladesh while other international flights are earning profit using boarding bridge and other allied facilities at HSIA.

III. For that there are allegations against the Tower Authority which favors the other international flights excepting Biman Bangladesh flights by taking unlawful advantages by personal capacity from those international flights, which are making high profits at HSIA but the Biman Bangladesh flights are losing its image and goodwill and interest to existing and prospective customers. In spite of lying unused boarding bridges at HSIA, Biman Bangladesh is not provided with the facilities just to tarnish its image and on the other hand to favor other international flights.

IV. For that the respondents did not provide boarding bridge facilities to Bangladesh Biman being BG-096 on 21.12.14 with malafide intention just to harass the post-operative passenger Mr. Manzill Murshid causing risk to his physical and mental health though there were 7/8 boarding bridges left lying unused.

V. For that the duty and responsibility are vested with the respondents to serve the people and the respondents are 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 rights of the passengers/people including HRPB President, which is illegal. Hence, under these circumstances, there needs an investigation into the matter immediately and Your Lordships may pass order to take immediate steps to provide mandatory Boarding Bridge facilities to all flights of Biman Bangladesh Airlines Ltd. at Hazrat Shahjalal International Airport (HSIA) and at all other international airports in Bangladesh.

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 immediate steps to provide mandatory Boarding Bridge facilities to all flights of Biman Bangladesh Airlines Ltd. at Hazrat Shahjalal International Airport (HSIA), Dhaka, as well as at all other international airports of Bangladesh and as to why direction should not be given upon the respondents to provide all the required facilities and benefits to all Biman Bangladesh international flights at Hazrat Shahjalal International Airport (HSIA), Dhaka and at all other international airports of Bangladesh.

b) Pending hearing of the rule direct the respondents No. 1 to investigate into the matter of not providing boarding bridge facilities to Bangladesh Biman international flights at Hazrat Shahjalal International Airport (HSIA), Dhaka and other airports by the Tower Authority/ Civil Aviation Authority just to favor other international flights for the purpose of getting illegal advantages by the people concerned and submit a compliance report within four weeks to this Hon'ble court.

c) Pending hearing of the rule direct the respondents No. 4 and 5 to conduct an investigation into the incident of not providing boarding bridge facilities to Bangladesh Biman being BG-096 Flight at Hazrat Shahjalal International Airport (HSIA), Dhaka by the Tower Authority/ Civil Aviation Authority on 21.12.14 for which post-operative wheel-chair-passenger, sustained health injury/risk and severe pain caused by movement and jerking while on wheel chair passing through uneven and rough passage of the airport after landing and submit a compliance report within four weeks to this Hon'ble court.

d) After perusing the cause shown, if any and after hearing the parties make the Rule absolute;

e) Pass such other and further order and/or orders as your Lordships may deem fit and proper.

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.
