

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

WRIT PETITION NO. 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 it's President Advocate Manzill Murshid, Hall No.2, Supreme Court Bar Association Building, Dhaka, Bangladesh.
2. Advocate Asaduzzaman Siddique, Hall No. 2, Supreme Court Bar Association Bhaban, Dhaka, Bangladesh.
3. Advocate Md. Aklas Uddin Bhuiyan Publicity Secretary of Hall No. 2, Supreme Court Bar Association Bhaban, Dhaka and 33 Abdul Hadi Lane, Police Station Kotwali, District- Dhaka, Bangladesh.

.....Petitioners.

-V E R S U S-

1. Bangladesh represented by The Secretary, Ministry of Power, Energy and Mineral Resources, Bangladesh Secretariat, P.S.: Shahbag, District: Dhaka.
2. The Managing Director, Dhaka Power Distribution Company Ltd. (DPDC), Biddut Bhaban, 1 Abdul Goni Road, Dhaka-1000, Bangladesh.
3. The Director (Operation), Dhaka Power Distribution Company Ltd. (DPDC), Biddut Bhaban, 1 Abdul Goni Road, Dhaka-1000, Bangladesh.
4. The Director (Engineering), Dhaka Power Distribution Company Ltd. (DPDC), Biddut Bhaban, 1 Abdul Goni Road, Dhaka-1000, Bangladesh.

....Respondents.

GROUND S

I. For that the respondents are the public servant and they are duty bound to perform the duties as per the law but due to their ignorance judicial functions are hampering , which is illegal .

11. For that as per the provisions of Constitution of Bangladesh right to get justice is a fundamental rights and which is violated due to not performing the judicial functions due to failure of continuous electric supply. Hence a direction

may be given upon the respondents to ensure continuous electric supply during the office time at Dhaka Judge Court premises.

III. For that the duty and responsibility vested upon the respondent to obey the provision of law. It is the duty of an officer to perform the duties in accordance with law, but they have failed to perform the duties and responsibility as vested upon them. Hence a direction may be given to take appropriate steps to ensure continuous electric supply in Dhaka Court.

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 necessary steps to ensure continuous electric supply in the Dhaka Judge Court premises, Chief Judicial Magistrate Court, Dhaka, Chief Metropolitan Magistrate Court, Dhaka and Dhaka Ainjibi Samity premises during the office time, in order to perform the judicial functions of the Court.

c) Pending hearing of the rule direct the respondent no. 3 and 4 to take effective steps within 48 hours to ensure continuous electric supply in the Dhaka Court premises and submit a progress report in every 7 days before this court through affidavit.

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.
