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

WRIT PETITION NO. .... OF 2011.

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

2.   Advocate Md. Sarwar Ahad Chowdhury, Organizing Secretary, Human Rights and Peace for Bangladesh (HRPB) of 3/14 Bashbari Bosila Road, Mohammadpur, P.S.: Mohammadpur, Dhaka.

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 of Ministry of Law, justice and Parliamentary Affairs, Bangladesh Secretariat P.S.: Ramna, District: Dhaka.

2.   The Secretary, Ministry of Finance, Bangladesh Secretariat P.S.: Ramna, District: Dhaka.

3. The Secretary, Ministry of Establishment, Bangladesh Secretariat P.S.: Ramna, District: Dhaka.

4. The Register of Supreme Court of Bangladesh, Supreme Court Bhaban, P.S. Shahbagh, Dhaka.

5. The Director, Department of Printing, Stationary, Forms and Publications, Tejgaon, Dhaka, Bangladesh.

6. The Deputy Controller, Bangladesh Government Press (B.G), Tejgoan, Dhaka.

....Respondents.

G R O U N D S

I. For that Article 32 of the Constitution of People Republic of Bangladesh provides the citizens of Bangladesh a fundamental right, "protection of right to life and personal liberty". But for the failure of the respondents to preparation of paper book in time, the fundamental rights protected by the constitution is violated , hence a direction should be given upon the respondents to take necessary steps for early preparation of paper book.

II. For that it is inhuman that even after the completion of conviction period the appeal were not heard. If the appeals heard convicted may get released. There are high numbers of case where accused get convicted in lower court but released in High Court. That the judicial system of Bangladesh is responsible for this. If the appropriate steps for complication of preparation of Paper Book could be taken in time then such inhuman incidence has never could occur. Who does not have ability to spend money they can not prepare the paper book of their own so their appeals are not heard. Hence a direction should be given upon the respondents to take necessary steps for early preparation of paper book.

III. For that hundreds of accused are waiting in different cell in many jail with death sentence but appeal could not be heard due to absence of paper book. It is important to conclude hearing because of their right to get justice. Hence a direction should be given upon the respondents to take necessary steps for early preparation of paper book.

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 prepare paper book of the criminal matters within six months after receiving the L.C.R. in order to ensure effective Justice and why a direction should not be given upon the respondent to set up a printing press for printing paper book/all necessary papers/documents of the Supreme Court of Bangladesh expeditiously.

b) Pending hearing of the Rule directs the Respondent No. 4 to submit a detail report within 4 weeks about the case list for which paper book (Criminal Matter) has not been prepared though L.C.R has received by the office of the Supreme Court of Bangladesh.

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.