

ersj vt`k mgog tKvU©
nvBtKvU©efiM
(t®ukvj AwiiRb`ij Rvj mll/Kkvb)

iU icuUkb bs 6795/2005

Bb w` g`vUvi Adt

Bnv ersj vt`k msieavtbi 102 AbtjQ` Abyviti GKwU Avte`bcT;
Ges

Bb w` g`vUvi Adt

Rbve gbwRj tgvitm` I I ci 6(0q) Rb

DDDD` i Lv`-Kvi mMY

ebvg

ersj vt`k I Aci GKRb

.....cZer`mMY

Rbve gbwRj tgvitm` (~qs)

GWtfvKvU,

-----` i Lv`Kvixi ct¶¶

teMg bvcgv nvg`vi wv.G.wR mstM

Rbvg tgvit Ridi Bgvg G.G.wR Ges

Rbve tgvit gAjy Avj g, G.G.wR

----- 1bs cZer`xc¶¶

i bvbxt 05 btfaf, 2007Bs

i vq cUvbt wltmef 02, 2007Bs

Dcu`nZt

wPvi cuZ Rbve G,w,Gg, Lvqi "j nK

Ges

wPvi cuZ Rbve Avajy AvDqij

wPvi cuZ G,w,Gg, Lvqi "j nKt

Bsti Rx ermti i wltmef gvtm t` I qvbx Av`vj tZ AeKvKvj xb mgtq cZ`K tRjv m`ti ASZ GKRb wPvi KtK
wPvi K`vqZ;cUvb Kwi evi Avte`b Kwi qv AT i xU tgvKvI gmvU`vtqi Kiv nBqvQ|

Human Rights and Peace for Bangladesh bvgK ms`vi mfvicwZ G`WtfvKvU gbwRj tgvitm` Ges
Avi I 6 Rb AT Rb`-t`Gj-K i xU tgvKvI gmvU`vtqi Kwi qvQb|

AT i xU tgvKvI gmvU` i Lv`leYBv Kiv nBqvQ th Human Rights and peace for Bangladesh GKwU
wbeuUZ ms`v| Bnv ersj vt`tki gvbxi i b`v` I AvBbMZ AwKvi cZ`ovi Rb`-vcb Kiv nBqvQ|` i Lv`leYBv
Kiv nq th 7 bs` i Lv`Kvix 2004 Bs mtbi wltmef gvtm XvKv tRjv RR Av`vj tZ GKwU t` I qvbx tgvKvI gmvU`
vtqi Kwi tZ wlvq medj nqvb Kvi Y H mgtq mKj t` I qvbx Av`vj tZ eivmvi K AeKvKvj xb wv wZ Pij tZ wQj |
7bs` i Lv`Kvixi tgvKvI gmvU`vtqi Ges ASZKvj xb wv l avAv Avt`tki cUqvRb wQj | tRjv RR Av`vj tZ
tgvKvI gmvU`vtqi Kwi tZ medj nBqv t` I qvbx Kvhwv AvBtbi 107 aviv I 39 Avt`tki 1 I 2 bs wv Ges Zrmn
151 aviv mgog tKvU© nvBtKvU©efiM GKwU Avte`bcT` wlvj Kwi tj ersj vt`tki gvbxi cUvb wPvi cuZ
gtv`q KZK D³ tgvKvI gmvU` i bvbxi Rb` nvBtKvU©efiM Gj KwU`OZ teA MvB Kiv nq| D³ wZ teA 13-12-
2004 Bs Zvii tL i bvbxi AtSj` i Lv`Kvixct¶¶`vtqi KZ.wmfj Awv bs 5497/2004 tgvKvI gmvU` Ai ¶¶bxq mft
mivmvi LwvR Ktib| GB tcvvctU wltmef gvtm t` I qvbx Av`vj tZ eivmvi K AeKvKvj xb mgtq GKwU
AeKvKvj xb t` I qvbx Av`vj Z`vcb cU`Bv Kwi qv AT i xU tgvKvI gmvU`vtqi Kiv nBj AT Av`vj Z ersj vt`k
msieavtbi 102 AbtjQ` Abyviti 3-9-2005 Bs Zvii tL wlvq wlvZ i "j Rvix Ktib t

"Let Rule Nisi be issued calling upon the respondents to show cause as to why a direction should not be given upon the Respondents to constitute vacation Courts for Civil cases during Civil Court vacation of the subordinate judiciary in every December and/or such other of further order

of orders that may be passed as this Court may seem fit and proper.The Rule made returnable within 2(two) weeks from date"

Rbve gbwRj tgvit̃, G̃W̃t̃fṽt̃KU, w̃bR I Ab̃` iLṽK̃vix̃MỸi c̃t̃ŋ̃ e³ẽ Dc̃`rc̃b K̃tib| Ac̃ĩw̃t̃K̃ telMg̃
 bṽC̃gṽ ñṽq̃`vi, t̃W̃c̃nỹ G̃Ũnb̃t̃R̃b̃t̃ij I Z̃r̃m̃t̃½ R̃bve t̃gṽt̃ R̃ṽdi B̃g̃ṽg̃ I R̃bve t̃gṽt̃ g̃Ä̃j Aṽj g, m̃nK̃vix̃ G̃Ũnb̃t̃
 t̃R̃b̃t̃ij g̃t̃ñṽ`q̃M̃Ỹ t̃bs̃ c̃Ä̃Z̃eṽ`x̃ ẽvs̃j̃ ṽt̃`k̃ m̃i K̃ṽt̃i i c̃t̃ŋ̃ e³ẽ Dc̃`rc̃b K̃tib|
 `iLṽK̃vix̃MỸ R̃bve g̃bw̃Rj t̃gṽit̃, G̃W̃t̃fṽt̃KU, w̃bte`b K̃tib th, ẽvs̃j̃ ṽt̃`k̃ m̃s̃eaṽb Ãb̃ỹñt̃i m̃Kj b̃ṽM̃wĩK
 AṽB̃t̃bi `w̃t̃Z̃ m̃g̃ṽb Ãw̃AK̃vi m̃`ub̃t̃ ẽvs̃j̃ ṽt̃`k̃i th t̃K̃ṽb b̃ṽM̃wĩK m̃i K̃ṽi Ges̃ g̃ṽbb̃x̃q̃ c̃Ä̃b̃ w̃eP̃ri c̃w̃Z̃ g̃t̃ñṽ`q̃
 K̃Z̃R̃ w̃b̃w̃t̃ I w̃t̃b I m̃g̃t̃q̃ `w̃c̃Z̃ t̃d̃S̃R̃`ṽix̃ AẽK̃ṽK̃ṽj̃xb̃ Aṽ`ṽj̃ Z̃ Ri` ĩx̃ Aṽt̃e`bc̃T̃ ĩ`b̃ṽb̃xi R̃b` w̃t̃q̃ṽm̃R̃Z̃
 `w̃t̃K̃j̃ I t̃`l̃q̃ṽb̃ Ri` ĩx̃ Aṽt̃e`bc̃T̃ w̃b̃`ũm̃È̃i R̃b` t̃K̃ṽb t̃`l̃q̃ṽb̃ Aṽ`ṽj̃ t̃Z̃ Z̃ṽñṽt̃i m̃is̃ieaf̃w̃b̃K̃ Ãw̃AK̃vi
 Ãb̃ỹñt̃i h̃`m̃ẽw̃ñZ̃ c̃Ä̃Z̃K̃vi c̃Ä̃B̃ ñB̃t̃Z̃ ẽ`ŋ̃t̃q̃b|
 GgZ̃ve`ṽq, w̃Z̃w̃b̃ w̃bte`b K̃tib th t̃gṽit̃g̃ṽ`ṽt̃q̃i Ges̃ Ri` ĩx̃ Aṽt̃e`bc̃T̃ ĩ`b̃ṽb̃xi I w̃b̃`ũm̃È̃i R̃b` c̃Ä̃Z̃ t̃R̃j̃ṽ
 m̃`t̃i AẽK̃ṽK̃ṽj̃xb̃ t̃`l̃q̃ṽb̃ Aṽ`ṽj̃ Z̃ `rc̃b Ges̃ K̃ṽh̃È̃i K̃iṽ b̃`ṽq̃w̃eP̃t̃i ĩ `ŋ̃`G̃K̃ṽs̃l̃c̃t̃q̃ṽR̃b|
 Ac̃ĩw̃t̃K̃ m̃i K̃ṽic̃t̃ŋ̃ D̃c̃w̃`Z̃ telMg̃ bṽC̃gṽ ñṽq̃`vi, w̃eÁ̃ t̃W̃c̃nỹ G̃Ũnb̃t̃R̃b̃t̃ij g̃t̃ñṽ`q̃ w̃t̃m̃`t̃ g̃ṽt̃m̃
 AẽK̃ṽK̃ṽj̃xb̃ m̃g̃t̃q̃ t̃d̃S̃R̃`ṽix̃ Aṽ`ṽj̃ Z̃w̃eP̃ri c̃Ä̃`x̃M̃Ỹi g̃Z̃ t̃`l̃q̃ṽb̃ Aṽ`ṽj̃ t̃Z̃i w̃eP̃ri I c̃Ä̃Z̃K̃vi c̃Ä̃`B̃ṽ K̃w̃ĩ ẽvi
 Ãw̃AK̃vi Ã`ŋ̃K̃vi K̃tib̃ b̃ṽB̃|
 Df̃q̃c̃t̃ŋ̃i w̃eÁ̃ G̃W̃t̃fṽt̃KU g̃t̃ñṽ`q̃M̃Ỹi e³ẽ k̃eb̃ K̃iṽ ñB̃j̃ Ges̃ `iLṽt̃`l̃m̃sh̃Ÿ̃ K̃ṽM̃R̃w̃` c̃ix̃ŋ̃ṽ w̃b̃ix̃ŋ̃ṽm̃ñ
 ch̃ŋ̃t̃j̃ ṽP̃bṽ K̃iṽ ñB̃j̃ | উলেখ্য যে প্রতিবাদীপক্ষে কোন এফিডেভিট-Bb- Ãt̃c̃w̃R̃k̃b̃ `m̃L̃j̃ K̃iṽ ñq̃ b̃ṽB̃|
 B̃ñṽ Ab̃`ŋ̃K̃ṽh̃t̃h̃ t̃`l̃q̃ṽb̃ K̃ṽh̃È̃wã AṽB̃b̃ I t̃K̃iṽŨm̃ G̃`ṽKU, 1887, Ãb̃ỹñt̃i t̃K̃ṽb̃ t̃gṽK̃ĩg̃ṽ g̃j̃- t̃`l̃q̃ṽb̃ Aṽ`ṽj̃ Z̃
 ẽ`m̃Z̃Z̃ Ab̃` t̃K̃ṽb̃ Aṽ`ṽj̃ t̃Z̃ `ṽt̃q̃i K̃iṽ h̃ṽq̃ b̃ṽ|
 c̃Ä̃x̃q̃g̃ṽb̃ ñq̃ th 7̃bs̃ c̃Ä̃Z̃eṽ`x̃ m̃ĩṽm̃ĩ ñṽB̃t̃K̃ṽŨñṽB̃t̃K̃ṽŨñṽẽf̃ĩM̃ G̃K̃ũŨ t̃`l̃q̃ṽb̃ t̃gṽK̃ĩg̃ṽ `ṽt̃q̃i K̃w̃ĩ q̃ṽ w̃eD̃j̃
 ñB̃q̃w̃Q̃t̃j̃ b̃ (G̃`ṽt̃b̃K̃P̃ri- m̃m̃)| w̃K̃S̃`ẽvs̃j̃ ṽt̃`k̃i th t̃K̃ṽb̃ t̃K̃ṽb̃ b̃ṽM̃wĩt̃K̃ĩ AṽB̃t̃bĩ Aṽk̃t̃j̃ ṽt̃f̃ĩ Ãw̃AK̃vi m̃is̃ieãw̃b̃K̃
 f̃itẽ `ŋ̃K̃Z̃|
 t̃m̃B̃ K̃ṽĩ t̃b̃ ẽr̃m̃t̃ĩ i th t̃K̃ṽb̃ m̃g̃t̃q̃B̃ w̃eP̃ri c̃Ä̃`P̃t̃g̃ṽK̃ĩg̃ṽ `ṽt̃q̃i K̃ĩZ̃t̃ c̃Ä̃Z̃K̃vĩ c̃ṽB̃ẽvĩ Ãw̃AK̃ṽix̃|
 B̃ñṽ `ŋ̃K̃ṽh̃t̃h̃ m̃m̃f̃j̃ t̃K̃iṽŨm̃ G̃`ṽKU, 1887, G̃ĩ w̃eaṽb̃ Ãb̃ỹñt̃i ẽr̃m̃t̃ĩ G̃K̃g̃ṽm̃ t̃`l̃q̃ṽb̃ Aṽ`ṽj̃ Z̃ m̃g̃t̃q̃i w̃eP̃rĩK̃
 g̃t̃ñṽ`q̃M̃Ỹ AẽK̃ṽK̃ṽj̃xb̃ h̃ṽc̃b̃ K̃w̃ĩ q̃ṽ `ṽt̃K̃b̃| w̃K̃S̃`D̃³̃ AẽK̃ṽK̃ṽj̃xb̃ m̃g̃t̃q̃l̃ t̃d̃S̃R̃`ṽix̃ AẽK̃ṽK̃ṽj̃xb̃ Aṽ`ṽj̃ t̃Z̃ĩ b̃`ṽq̃
 দেওয়ানী অবকাশকালীন আদালত এর কার্যক্রম আরম্ভ করিতে আইনগত কোন বাধা নাই। সিভিল কোর্টস এ্যাক্ট এর ৩৬
 aṽĩṽ w̃b̃g̃ĩẽ/c̃ t̃

"36. (1) The Government may invest either the powers of any Civil Court under this Act, by name or in virtue of office,

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(b) After consultation with the High Court Division any officer serving in any part of the territories to which this Act extends and belonging to a class defined in this behalf by the Government.

2) Nothing in sections 4, 5, 6, 8, 10 or 11 applies to any officer so invested, but all the other provisions of this Act, shall, so far as those provisions can be made applicable, apply to him as if he were a Judge of the Court with the powers of which he is invested.

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GgZ̃ Aẽ`ṽq̃ w̃t̃m̃`t̃ g̃ṽt̃m̃ ẽṽr̃m̃ĩK̃ t̃`l̃q̃ṽb̃ AẽK̃ṽK̃ṽj̃xb̃ m̃g̃t̃q̃ K̃w̃Z̃c̃q̃ t̃R̃j̃ṽĩ R̃b` G̃K̃ũŨ R̃t̃q̃Ũ w̃W̃t̃ñ̃ RR̃
 Aṽ`ṽj̃ Z̃ Ã`eṽ Aẽ`ṽt̃f̃t̃` I c̃Ä̃q̃ṽR̃b̃ Ãb̃ỹñt̃ĩ c̃Ä̃Z̃`K̃ t̃R̃j̃ṽq̃ G̃K̃ũŨ K̃w̃ĩ q̃ṽ AẽK̃ṽK̃ṽj̃xb̃ আদালত সংশ্লিষ্ট জেলা বা
 t̃R̃j̃ṽ m̃g̃t̃q̃ĩ R̃b` t̃`l̃q̃ṽb̃ g̃j̃- Ãw̃t̃ŋ̃t̃ĩ m̃Kj̃ t̃gṽK̃ĩg̃ṽ `ṽt̃q̃i Ges̃ Ri` ĩx̃ Aṽt̃e`bc̃T̃ ĩ`b̃ṽb̃xi I w̃b̃`ũm̃È̃i K̃w̃ĩ ẽvĩ
 ŋ̃g̃Z̃ṽ Ac̃t̃ K̃iṽ h̃ṽB̃t̃Z̃ c̃ṽt̃ĩ | B̃ñṽt̃Z̃ AṽB̃b̃M̃Z̃ t̃K̃ṽb̃ ẽṽaṽ b̃ṽB̃| ẽĩÁ̃ B̃ñṽt̃Z̃ AṽB̃t̃bĩ Aṽk̃t̃j̃ ṽt̃f̃ĩ R̃b` th t̃K̃ṽb̃
 w̃eP̃ri c̃Ä̃`xĩ AṽB̃b̃M̃Z̃ Ãw̃AK̃vĩ m̃j̃ỹŋ̃Z̃ I w̃b̃w̃Z̃ ñB̃t̃ẽ|

উলেখ্য যে বাইনমি K AeKvK mgyṽ ñBevĩ cĩ `ṽt̃q̃i K̃t̃.মোকদ্দমা এবং আবেদনপত্র গুলি সংশ্লিষ্ট এলাকা ও আর্থিক ক্ষমতা সম্পন্ন সংশ্লিষ্ট আদালতে স্থানান্তরিত হইবে।GgZ̃ve`ṽq̃ `iLṽK̃vix̃ c̃t̃ŋ̃ĩ w̃eÁ̃ G̃W̃t̃fṽt̃KU g̃t̃ñṽ`t̃q̃ĩ e³t̃ẽĩ t̃h̃Ń̃K̃Z̃ṽ Aṽt̃Q̃ ẽij̃ q̃ṽ c̃Ä̃x̃q̃g̃ṽb̃ ñq̃| AZ̃Ge, K̃t̃q̃K̃ũŨ t̃R̃j̃ṽĩ R̃b` G̃K̃ũŨ h̃m̃ỹ t̃R̃j̃ RR̃ c̃`gh̃ŋ̃ṽ m̃`ub̃ẽ Aṽ`ṽj̃ Z̃ Ã`eṽ c̃Ä̃q̃ṽR̃t̃b̃ c̃Ä̃Z̃w̃Ũ t̃R̃j̃ṽq̃ H̃ĩc̃ G̃K̃ũŨ K̃w̃ĩ q̃ṽ t̃`l̃q̃ṽb̃ AẽK̃ṽK̃ṽj̃xb̃ Aṽ`ṽj̃ Z̃ m̃B̃ṽt̃nĩ c̃Ä̃Z̃ K̃ṽh̃ŋ̃ ẽt̃m̃ অথবা নিদিষ্ট কয়েকটি দিবসে কার্যক্রম চালু করিবার নির্দেশ প্রদান করা হইল। ঐ সকল দিবসে তাহার জরুরী আবেদনপত্র M̃h̃b̃ Ges̃ w̃b̃`ũm̃È̃ĩ K̃w̃ĩ t̃Z̃ c̃w̃ĩt̃eb̃| Aẽk̃`m̃B̃ṽt̃nĩ m̃Kj̃ K̃ṽh̃ŋ̃ ẽt̃m̃ g̃j̃- t̃gṽK̃ĩg̃ṽ `ṽt̃q̃i K̃iṽ h̃ṽB̃t̃ẽ|

GB̃ ẽ`ṽc̃ṽt̃ĩ সংশ্লিষ্ট কর্তৃপক্ষ পয়োজন অনুসারে যথাবিহিত ব্যবস্থা অবিলম্বে গ্রহণ করিবেন।
 GB̃ ĩṽt̃q̃ĩ K̃w̃c̃ AṽB̃b̃, w̃eP̃rĩ I m̃sm̃`w̃ẽl̃q̃K̃ g̃s̃ŋ̃ṽj̃t̃q̃ĩ m̃P̃ẽ Ges̃ m̃g̃t̃q̃ t̃K̃ṽt̃ŨP̃ t̃ĩw̃R̃õt̃ĩ ẽiṽẽt̃ĩ c̃Ä̃q̃ṽR̃b̃x̃q̃ ẽ`ẽ`ṽ
 M̃h̃t̃bĩ R̃b` Ãw̃Z̃w̃ej̃ t̃m̃t̃c̃ŋ̃Ỹ K̃iṽ ñDK̃|
 AZ̃T̃ẽ ÃT̃ ĩ`j̃w̃ L̃ĩP̃ṽ ẽ`w̃Z̃t̃ĩc̃t̃K̃ G̃`ṽem̃ij̃ DŨ K̃iṽ ñB̃j̃ |
