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

Writ Petition No. 3295 of 2002

In the matter of:
An application under article 102 of the Constitution of the People's Republic of Bangladesh.

AND
In the matter of:

Abdul Mannan Howlader

... Petitioner

-Versus-

Commissioner of Customs, Customs House, Chittagong and others

... Respondents

No one appears for the petitioner.

Mr. Tanim Khan, D.A.G. and
Mr. Dewan Humaun Kabir(Ripon), D.A.G with
Ms. Fatema Yesmin, A.A.G.
Mr. Mehedi Hasan Ronve, A.A.G.
Ms. Elina Chowdhury, A.A.G.
Mr. Sk. Naser Wahed (Shemon), A.A.G. and
Ms. Fahriya Ferdous, A.A.G.

... For the respondents

Judgment dated: 12.11.2026

Present:

Justice Sardar Md. Rashed Jahangir
and
Justice Dihider Masum Kabir

Sardar Md. Rashed Jahangir, J:

Since neither the petitioner nor his engaged Advocate took any initiative to pursue his cause and as such, Hon'ble Chief Justice of Bangladesh sent this matter before this Division Bench to dispose of expeditiously.

The matter has been appearing in the list for a couple of days with the name of learned Advocate, but no one appears and as such, on perusal of the record the matter has been taken up for delivery of judgment.

On an application under article 102 of the Constitution of the People's Republic of Bangladesh, the Rule Nisi was issued on 13.07.2002 as follows:

> "Let a Rule Nisi be issued upon the respondent No. 1-3 to show cause as to why the order of suspension of the petitioner communicated by the office order vide Nathi No. S/Srinkhala/30/Goponiyo/2001/927 CUS dated 12.12.2001 issued under the signature of the Commissioner of Customs, Customs House, Chittagong, evidenced by Annexure-D to the writ petition, should not be declared to have been issued without lawful authority and of no legal effect and/or pass such other or further or orders as to this Court may seem fit and proper."

On perusal of the record, it appears that the petitioner was appointed as Inspector of Customs and he joined in the post of preventive office Customs House, Chittagong. He filed the writ petitioner challenging the suspension order. From the averment of the writ petition it appears that he joined in the office as inspector of Customs on 15.05.1976 and as of today he would not continue in the service in the Republic under the existing law.

In the premise above, the Rule as has been issued has become infructuous.

Accordingly, the Rule is discharged as being infructuous.

No order as to cost.

Dihider Masum Kabir, J:

I agree.