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25-6-12-26-6-12 26-6-12 26-6-12 26-6-12

IN THE SUPREME COURT OF BANGLADESH

HIGH COURT DIVISION

(SPECIAL ORIGINAL JURISDICTION)

WRIT PETITION NO. 4781 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:

Bangladesh National Women Lawyers Association (BNWLA), a registered NGO under the Mohila Adhidaptor Registration No. Being Mobi Pari/Nobi Pari/Dhaka/21/90 dated 11.09.90 represented by Salma Ali, Executive Director of BNWLA, Monico Mina Tower (1st & 2nd Floor), 48/3, West Agargaon, Sher Bangla Nagar, Dhaka 1207

.....Petitioner.

Versus

1. Government of Bangladesh, represented by the Secretary, Ministry of Law and Parliamentary Affairs, Bangladesh Secretariat, Dhaka.
2. Government of Bangladesh, represented by the Secretary, Ministry of Women and Children Affairs, Bangladesh Secretariat, Dhaka.
3. Cabinet Secretary, Cabinet Secretariat, Bangladesh Secretariat, Dhaka.

.....Respondents.

And

In the matter of:

- I) Direction upon the Respondents to direct all Muslim Marriage and Nikah Registrars to registrar marriage on basis of National ID Cards for all muslim citizen along with amendment of existing laws to facilitate the direction.
- II) Direct the Respondent to digitilised the registration of all marriage and divorce to prevent Child Marriage Polygamous marriage as well as amend the present divorce practice by filing divorce application under Dissolution of

1/10

Muslim Marriage Act, 1939 through Family Courts under Family Court Ordinance, 1985 under Section 5(a) before exercising Section 7 of the Muslim Family Law Ordinance 1961 and develop a guide line before enactment and amendment of necessary laws.

Present

Mr. Justice Farid Ahmed.

And

Mr. Justice Zafar Ahmed.

The 20th June, 2012.

Mrs. Fawzia Karim Firoze, Adv.

.....For the Petitioners.

Mr. Md. Motaher Hossain (Sazu), DAG


.....For the Respondents.

Let a Rule Nisi be issued calling upon the respondents to show cause as to why they should not direct the Nikah and Marriage Registrar to register the marriage and divorce on the basis of National ID Card and also to enact provision of divorce through court proceedings for ensuring dower, maintenance, mata and guardianship of children for reduction of domestic violence and also to digitalize the marriage and Divorce Registration Systems and/or pass such other or further order or orders as to this Court may seem fit and proper.

The rule is made returnable within 4(four) weeks.

Farid Ahmed.

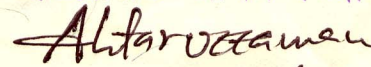
Zafar Ahmed.


Mamun/26.6.2012.

Read by:

Exd. By:

প্রত্যায়িত অবিকল প্রতিলিপি



26.6.12

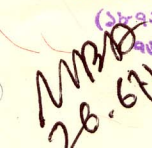
সহকারী রেজিস্ট্রার

বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিভাগ

(১৮৭২ ই ২ সনের ১নং আইনের)

ধারা ৬ ধারামতে ক্ষমতা প্রাপ্ত


26.6.12


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