

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

26-11-23. 27-11-23 27-11-23 27-11-23 27-11-23

Writ Petition No. 511 of 2015

IN THE MATTER OF:

An application under Article 102 of the
Constitution of the People's Republic of
Bangladesh.

-And-

IN THE MATTER OF:

Arpita Das and another

.....Petitioner

-Versus-

Bangladesh, represented the Cabinet Division,
Bangladesh Secretariat Building, Ramna, Dhaka
and others.

.....Respondent

Mr. Subrata Chowdhury, Senior Advocate with
Ms. Rezina Mahmud, Advocate

.....for the petitioner

Mr. S.N. Goswami, Advocate

.....for the respondent No.7

Ms. Sharmin Akter, with

Ms. Sara Hossain and

Ms. Najrana Imam, Advocates

.....for the BLAST

Heard and Judgment on 20.03.2017

Present:

Ms. Justice Naima Haider

&

Mr. Justice Abu Taher Md. Saifur Rahman

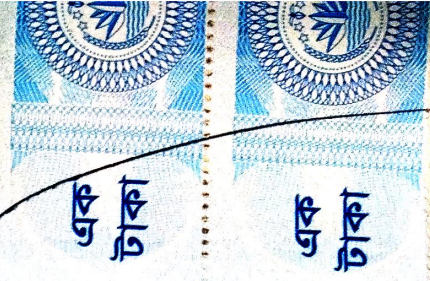
Naima Haider, J:

In this application under Article 102 of the Constitution of the
People's Republic of Bangladesh, a Rule Nisi was issued calling upon the
respondents to show cause as to why a direction should not be given

allowing the petitioner no.1 to exercise her right to divorce her husband,

respondent no.7 and to exercise her fundamental rights conferred upon her

“দেশপ্রেমের শপথ নিব, দনীতিকে বিদায় দিন”



under part-III of the Constitution of the People's Republic of Bangladesh and/or pass such other or further order or orders passed as to this Court may seem fit and proper.

The petitioner has filed the instant writ petition by seeking direction for enforcement of fundamental rights of a citizen conferred under Part III of the Constitution of the People's Republic of Bangladesh, so far as it relates to right of a citizen to divorce her husband, which right is the right to life of an adult citizen to live in a decent manner provided under law.

Mr. Subrata Chowdhury, learned Senior Advocate appearing on behalf of the petitioner at the outset submits that since 01.06.2013, the writ petitioner no.1 and the respondent no.7 reside separately and subsequently under customary law through priest the petitioner no.1 has already been divorced by respondent no.7 which has been admitted by the Respondent No. 7 in his affidavit in opposition at paragraph No. 10 filed before this Hon'ble Court on 15.02.2016.

In view of the submission made by Mr. Subrata Chowdhury, we are not inclined to enter into the merit of the case and are of the view that the Rule be disposed of.

Accordingly, the Rule is disposed of.

There is no order as to cost.

Abu Taher Md. Saifur Rahman, J.

Naima Haider

I agree.

S. Rahman

Typed by: Sayed. 27.11.2023

Read by: 27.11.23

Exam.by: 27.11.23

Readied by: 27.11.23

প্রত্যায়িত অবিকল প্রতিলিপি

27-11-23
সহকারী রেজিস্ট্রার
বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিভাগ
(১৮৭২ ইং সনের ১নং আইনের
৭৬ ধারামতে ক্ষমতা প্রাপ্ত)

“দেশপ্রেমে রক্তমাখা আমিন, দুঃখীকে মুক্তি দিবার দিন”