

## Rana Plaza Cases updates including Writ Petitions pending in different Courts.

### **1. 11 Criminal Cases pending in the First Labour Court, Dhaka**

There are 11 criminal cases, 09 under section 290 (Penalty for failure to give notice of accidents) and 02 under section 309 (Penalty for contravention of law with dangerous results) of the Bangladesh Labour Act (BLA), 2006. After nine years, 7 of the cases are pending for charge hearing, in other words the trial is at its earliest stage. In another 4 cases are pending for Execution Report and Warrants of Arrest have been issued against the accused persons. The Department of Inspections for Factories and Establishment (DIFE) is the complainant of these cases. The maximum punishment under section 209 of BLA is with imprisonment which may extend to six months, or fine which may extend to three thousand taka or with both and the maximum punishment under section 309 is with imprisonment which may extend to four years, or fine which may extend to one lac taka or with both.

#	Case No & Filing Date	Section & Law	Petitioner	Name of Accused	Previous Date & Position	Next Date & Position
01.	Crl. Case No. 136 of 2013, dated- 25.04.2013	290 of BLA, 2006	The State	1. Bazlus Samad (W/A) 2. Delowar Ahmed (On Bail)	1/02/2022 for Charge Hearing	8/05/2022 for Charge Hearing
02.	Crl. Case No. 137 of 2013, dated- 25.04.2013	309 of BLA, 2006	The State	1. Aminul Islam (On Bail) 2. Jafor Ahmed (W/A)	1/02/2022 for Charge Hearing	8/05/2022 for Charge Hearing
03.	Crl. Case No. 138 of 2013, dated- 25.04.2013	309 of BLA, 2006	The State	1. Aminul Islam (On Bail) 2. David Mayer Rico (W/A) 3. ABM Siddique (On Bail)	1/02/2022 for Charge Hearing	8/05/2022 for Charge Hearing
04.	Crl. Case No. 139 of 2013, dated- 25.04.2013	290 of BLA, 2006	The State	1. Monir Hossen (W/A)	23/03/2022 for ER	04/07/2022 for W/A
05.	Crl. Case No. 140 of 2013, dated- 25.04.2013	290 of BLA, 2006	The State	1. Abdul Khaleque 2. Sohel Rana	24/03/2022 for hearing	05/07/2022 for W/A
06.	Crl. Case No. 145 of 2013, dated- 28.04.2013	290 of BLA, 2006	The State	1. Anisur Rahman 2. Jannatul Ferdus 3. Md.Nazrul Islam.	23/03/2022 for ER	04/07/2022 for W/A
07.	Crl. Case No. 146 of 2013, dated- 28.04.2013	290 of BLA, 2006	The State	1. Aminul Islam (On Bail) 2. David Mayer Rico (W/A) 3. ABM Siddique (On Bail)	1/02/2022 for Charge Hearing	8/05/2022 for Charge Hearing

#	Case No & Filing Date	Section & Law	Petitioner	Name of Accused	Previous Date & Position	Next Date & Position
				4. Suraiya Begum (On Bail)		
08.	Crl. Case No. 147 of 2013, dated- 28.04.2013	290 of BLA, 2006	The State	1. Bazlus Samad (On Bail) 2. Aminul Islam (On Bail) 3. A R Ayub Hossain (On Bail) 4. Delowar Ahmed (On Bail)	1/02/2022 for Charge Hearing	8/05/2022 for Charge Hearing
09.	Crl. Case No. 148 of 2013, dated- 28.04.2013	290 of BLA, 2006	The State	1. Anisur Rahman (W/A) 2. Jannatul Ferdous (W/A) 3. Nazrul Islam (W/A)	23/03/2022 for ER	04/07/2022 for W/A
10.	Crl. Case No. 149 of 2013, dated- 28.04.2013	290 of BLA, 2006	The State	1. Abdus Samad (On Bail) 2. Bazlus Samad (W/A) 3. Aminul Islam (On Bail) 4. A R Ayub Hossain (On Bail) 5. Delowar Ahmed (On Bail)	1/02/2022 for Charge Hearing	8/05/2022 for Charge Hearing
11.	Crl. Case No. 153 of 2013, dated- 28.04.2013	290 of BLA, 2006	The State	1. Aminul Islam (On Bail) 2. David Mayer Rico (W/A) 3. A B M Siddique (On Bail) 4. Suraiya Begum (On Bail)	1/02/2022 for Charge Hearing	8/05/2022 for Charge Hearing

**2. 3 Criminal Cases; 01 is pending in the Court of District & Session Judge, Dhaka and another 02 are pending (parallel) in the Court of Additional Chief Judicial Magistrate, Dhaka respectively**

There are 03 criminal cases, 01 under section 3/12 (Restriction on construction of building and excavation of tank and Penalty) of the Bangladesh Building Construction Act, 1952 and Charge Sheet has been submitted under section 12 of the Act. The case was transferred to the Court of Additional Chief Judicial Magistrate, Dhaka for trial. 01 under section 337/338/304(A)/427/34 (Causing hurt by act endangering life or personal safety of others/Causing grievous hurt by act endangering life or personal safety of others/Causing death by negligence/ Mischief causing damage to the amount of fifty taka/Acts done by several persons in furtherance of common intention) of the Penal Code, 1860 and Charge Sheet has been submitted u/s- 302/326/325/337/338/427/465 /471/212/114/109 of the Code and another 01 was filed by wife of a deceased worker under section 302/506/34 (Punishment for murder/Punishment for criminal intimidation/Acts done by several

persons in furtherance of common intention) of the Penal Code, 1860. The proceedings of both cases under the Penal Code were taken parallel and were transferred to the Court of District and Session Judge, Dhaka for trial. After nine years, all the cases are pending for taking Prosecution Witnesses. In the case of Penal Code, 1860, 07 accused filed Revisional applications before the Hon'ble High Court Division against the charge framing order of the Session Judge. After that the High Court heard the matter and issued a Rule and stay of the proceedings of Session Judge Court in respect of the said 07 accused persons.

#	Case No & Filing Date	Section & Law	Petitioner	Name of Accused	Previous Date & Position	Next Date & Position
01.	Savar PS Case No. 53, dated- 24.04.2013	3/12 of the Building Construction Act, 1952	The State	Sohel Rana (In Custody) and another 12.	The case has been taken for trial in the ACJM Court and next date is on 20/4/2022 for Prosecution Witness and Order of the Higher Court.	Charge Sheet has been submitted against 18 persons included Sohel Rana and charges framed against 10 persons including Sohel Rana. The case is awaiting trial in the Court of Additional Chief Judicial Magistrate (ACJM), Dhaka but the accused have filed a revision (Revision No- 07/2018) against the charge in District and Session Judge's Court, Dhaka. Revision hearing was held on 22/06/2018 and Aminul Islam was discharged by the revision court. Out of 18 accused persons, 5 are absconding. <b>The next date is fixed on 04.07.2022 for Prosecution Witness.</b>
02.	Savar PS Case No. 55, dated- 24.04.2013 Sessions Case no: 559/2016	337/338/304(A)/427/34 of Penal Code.	The State	Sohel Rana (In Custody) and another 34.	23/05/2019, 21/08/2019 20/11/19, 23/03/2020 12/11/2020, 22.03.2021, 05/05/2021, 29/08/2021, 14/10/2021, 28/11/2021,	Charge Sheet has been submitted and charges framed u/s- 323/325/326/307/304 of the Penal Code, 1860 against 41 persons including Sohel Rana and the case has been transferred to the District and Session Judge's Court for trial. <b>The next date is fixed on 29/05/2022 for taking the evidence of a Prosecution Witness.</b>

#	Case No & Filing Date	Section & Law	Petitioner	Name of Accused	Previous Date & Position	Next Date & Position
					31/01/22, 16/02/2022, 16/03/2022, 20/03/2022 10/04/2022.	

### 3. 01 Money Suit in the Court of Second Joint District Judge, Dhaka

The dependants (wife and children) of a deceased worker filed a Money Suit in the Court of Second Joint District Judge, Dhaka claiming Compensation and realization of money for causing death by wrongful act, neglect or default. The Suit was dismissed on 25.10.2018 in absence of the Plaintiff.

#	Case/Suit No.	Section & Law	Petitioner/ Plaintiff	Accused/ Defendant	Previous Date & Position	Next Date & Position
01.	Money Suit No. 33 of 2013, dated-06.05.2013  Money Suit No. 113 of 2017	Compensation and realization of money for causing death by wrongful act, neglect or default.	Rubina and another 02.	Rana Plaza and another 08.	On 25/07/2017, the suit was transferred to Additional Joint District Judge Court (6 <sup>th</sup> Court). 20/03/2018 for Ex-parte hearing. 15/07/2018 for Ex-parte hearing. 25/10/2018 for Ex-parte hearing and show cause.	On 25/10/2018, the plaintiff was found absence on repeated calling and as such the suit was dismissed in absence of the plaintiff.

### 4. 4 Writ Petitions pending in the Hon'ble High Court Division

#	Writ No.	Petitioner	Respondents	Next Date & Position
01.	Writ Petition No. 4390/13	Ain o Salish Kendra (ASK) & others	Bangladesh & others	In WP No. 4390 of 2013, three (03) different applications were filed during 2016 to 2018. <ul style="list-style-type: none"> <li>• <a href="http://www.bdpil.org.bd/search/full_view/314">http://www.bdpil.org.bd/search/full_view/314</a> for details.</li> <li>• The first application was filed on 05.09.2016 by Respondent No. 16 (ZXY Apparel Buying Solutions Ltd) for a direction upon the Respondent No. 14 (South-East Bank) to pay the entire amount of the service charges to</li> </ul>

#	Writ No.	Petitioner	Respondents	Next Date & Position
				<p>the applicant under the terms of the credits lying in its sundry payable account immediately.</p> <ul style="list-style-type: none"> <li>• On 20-11-2017 BLAST has filed an affidavit-in-opposition to this application on the grounds that this payment should not be made from accounts frozen in connection with the payment of compensation to the RP victims.</li> <li>• On 04.03.2018 another application for direction was filed by Respondent No. 17 (Hossain Dyeing and Printing Mills Ltd) for an order directing the Respondent No. 14 (South-East Bank) to pay the Respondent No. 17 for bills which have matured against documents accepted by Respondent No. 14 for issuing bank of Letter of Credit No. 1334-12-040970 dated 26-12-12 on the same terms as those on which payment was made by it to the foreign suppliers of Respondent No. 18 by the order, dated 26.09.2013.</li> <li>• A third application was filed by Md. Mustafa Kamal, Managing Director, M/S Atlantic Industries Ltd. to be added as party in WP No. 4390 of 2013. WP No. 4390 of 2013 was fixed for hearing in Court (Main- 21) and the 03 applications came for hearing on 04.02.2020. On that day time was taken on behalf of BLAST. The next date was fixed on 11/02/2020. <ul style="list-style-type: none"> <li>- On 11.02.2020 the application of addition of party was allowed and another two applications were adjourned till 18.02.2020.</li> <li>- On 18.02.2020 the Respondent No. 17 took two weeks adjournment for filing a reply from South-East Bank and the matter was adjourned till 5/04/2020.</li> <li>- <b><u>During the pandemic, it was not possible to conduct further hearings.</u></b></li> <li>- <b><u>Now this matter needs to be fixed for hearing.</u></b></li> </ul> </li> </ul>
02.	Suo Moto Rule 09 of 2013	The State Mr. Al Amin Sarker, DAG	Bangladesh & others	<ul style="list-style-type: none"> <li>• <b><u>Pending for hearing.</u></b></li> <li>• <a href="http://www.bdpil.org.bd/search/full_view/155">http://www.bdpil.org.bd/search/full_view/155</a> for details.</li> </ul>
03.	Writ Petition 4353 of 2013	Dr. Md Eunus Ali Akhondo	Bangladesh & others	<ul style="list-style-type: none"> <li>• <b><u>Pending for hearing.</u></b></li> </ul>

#	Writ No.	Petitioner	Respondents	Next Date & Position
04.	Writ Petition 4428 of 2013	Kamal Hossain Miyaji	Bangladesh & others	<ul style="list-style-type: none"> <li>• <u>Pending for hearing.</u></li> </ul>