

ANNUAL REPORT 2008
OF
THE SUPREME COURT OF BANGLADESH



Supreme Court of Bangladesh



Architectural view of the Supreme Court Main Building (original)



Annual Report 2008



Main Building of the Supreme Court of Bangladesh



Old Building of the Supreme Court of Bangladesh



Annex Building of the Supreme Court of Bangladesh

EDITORIAL COMMITTEE

Hon'ble Mr. Justice Mohammad Fazlul Karim
Hon'ble Mr. Justice Shah Abu Nayeem Mominur Rahman
Hon'ble Mr. Justice A.B.M. Khairul Haque
Hon'ble Mr. Justice Md. Abdul Wahhab Miah
Hon'ble Mr. Justice Mohammad Anwarul Haque
Hon'ble Mr. Justice Khondker Musa Khaled

Publisher: The Supreme Court of Bangladesh, Dhaka 1000

Website: www.supremecourt.gov.bd

Book : Annual Report 2008

For Official Use Only:

COPYRIGHT © 2008: THE SUPREME COURT OF BANGLADESH

All rights reserved.

Printed by : Theme-O-Graph

Photography: Pial Mahmood



National Flag of Bangladesh



Logo of Supreme Court of Bangladesh



Flag for Hon'ble Chief Justice of Bangladesh



Flag for Hon'ble Judges of Bangladesh Supreme Court

Contents

Page

From the desk of the Chief Justice of Bangladesh	1
Supreme Court of Bangladesh: Powers and Composition	3
Profile of the Hon'ble Judges of the Supreme Court	9
Activities of the Supreme Court of Bangladesh, 2008	50
Fragrance and Fragments -Justice A.T.M. Afzal, Former Chief Justice of Bangladesh	74
Leading decisions of the Supreme Court of Bangladesh, 2008	77
Official Publications	81
Former Chief Justices of Bangladesh	82
Former Judges of the Supreme Court of Bangladesh	83
The Supreme Court Bar Association	86
Budget/Finance of the Supreme Court of Bangladesh	92
The Supreme Court Registrar and Registry	93



Hon'ble Chief Justice of Bangladesh



From the Desk of the Chief Justice of Bangladesh

It is a great pleasure in presenting before the nation the Annual Report of the Supreme Court of Bangladesh, 2008. The Supreme Court of Bangladesh, being the Constitutional Court is the guardian of the Constitution of the People's Republic of Bangladesh. It is also the custodian of the independence of the Judiciary and fundamental rights of the people of Bangladesh. The Supreme Court of Bangladesh has been assigned the onerous task of buttressing up the confidence of people in our judicial system.

A well functioning judiciary is a pre-requisite for development. Neither the fundamental rights of the citizen nor the application of the laws can be guaranteed without an effective, independent and competent judicial system. Some essential components of the Judiciary are: (i) self governing in any suitable mode; (ii) adequate resources and smooth management of existing resources; (iii) proper incentives for Judges and administrative personnel; (iv) efficient and updated procedures; and (v) access to information for effective monitoring.

It is universally recognised that 'Justice delayed is justice denied'. The existing judicial system is failing to cope up with the burden of civil and criminal litigations. We have to formulate effective mechanisms to ease the present burden of litigations. The log-jam of cases is increasing day by day; but criticising the Judiciary for the same is a wrong practice. It must be noted that the backlog is a product of inadequate judge-case ratio and lack of basic infrastructural facilities. The Government will have to play a pro-active role in this regard. For providing speedy justice to the people of Bangladesh, our focus was on clearing off the huge backlog of cases pending in the Supreme Court as well as Subordinate Courts in 2008. For this purpose, we constituted as many Benches as possible in the Supreme Court and appointed about 400 new Judges in the Subordinate Courts.

I express my deep gratitude to my brother Judges for contributing their mite in upholding the exalted tradition of Supreme Court of Bangladesh and like to appreciate the Supreme Court Registry for their efficient working and co-operation towards the effective performance of the Court. I thank the Judges of the Subordinate Courts who are bent upon upholding the hope and faith of the common people in our judicial system as well. I am also indebted to Bar for their valuable assistance rendered to various Benches of the Supreme Court in arriving at correct decisions. I feel, the Judiciary can achieve its desired goal by collective thinking, initiatives and actions.

(Justice M. M. Ruhul Amin)
Chief Justice of Bangladesh



Supreme Court of Bangladesh: Powers & Composition

Supreme Court is the apex Court of the Republic established under the Constitution of the People's Republic of Bangladesh. The peace and tranquility of a country is primarily depended on the proper functioning of its apex Court. Bangladesh Supreme Court consists of two Divisions, namely, Appellate Division and the High Court Division with one Chief Justice for both the Divisions.

Bangladesh has emerged as an independent country through a liberation war declaring its independence on 26th March, 1971 and liberated on 16.12.1971. Initially after liberation the apex Court was named as High Court of Bangladesh being set up under the President Order No.5 of 1972 (High Court of Bangladesh Order, 1972) and after the framing of the Constitution and adoption thereof by the Constituent Assembly on 4.11.1972 giving with effect from 16.12.1972, the "Supreme Court of Bangladesh" has been established under Chapter-I Part-VI of the Constitution of the People's Republic of Bangladesh.

History of Higher Judiciary in the Territory of Bangladesh:

The territorial area of Bangladesh originally being a part and parcel of the then Indian Sub-continent, the history of its legal system may be traced back from the year of 1726, when King George-I issued a Charter changing the judicial administration of the Presidency towns of Calcutta, Bombay and Madras, through which the Civil and Criminal Courts, as established, started deriving their authority from the King. It is to be noted that during Mughal Empire the East India Company by taking settlement and with permission from Mughal Badshah created the three presidency towns namely Madras, Bombay and Calcutta and said East India Company introduced the English legal system for administration of the presidency towns and thus the English Judicial system got entry into the territory of Indian Sub-continent. The filing of the appeals from the then India in the Privy-Council in England was introduced by the said Charter of 1726 and thereafter to bring about change in the management of the then East India Company, the East India Company Regulating Act, 1773 was introduced to place the East India Company under the control of the British Government and provision was made for establishment of a Supreme Court of judicature at Fort William, Calcutta, through Charter or Letters Patent issued on March 26, 1774, which as a Court of Record had power and authority to dispose of all complaints against the Majesty's subjects in respect of any crime, suit or action arisen within the territory of Bengal, Bihar and Orissa. By an Act passed in 1833 the Privy-Council was transformed into an Imperial Court of unimpeachable authority, which played a great role as an unifying force for establishment of rule of law in the Indian Sub-continent. The judicial system of the then India was re-organized by introducing the Indian High Court's Act 1861 by which High Courts were established, abolishing the Supreme Courts at Fort William (Calcutta), Madras and Bombay, and the High Courts established were conferred with Civil, Criminal, Admiralty, Testamentary, Matrimonial jurisdictions with Original and Appellate Jurisdiction. With the transfer of power from the British Parliament to the people on division of the then India, the High Court of Bengal (order) 1947 was promulgated under the Indian Independence Act, 1947, and the High Court of judicature for East Bengal at Dhaka was established as a separate High Court for the then East Pakistan and the said High Court was commonly known as the Dhaka High Court and the same was vested with all Appellate, Civil and Original jurisdictions. With the enforcement of the Constitution of Islamic Republic of Pakistan in 1956, the Supreme Court of Pakistan was established as the apex Court of the country, consisting of East Pakistan and West Pakistan, in place of Federal Court, with the appellate jurisdiction to hear the



Court Room of the Hon'ble Chief Justice of Bangladesh



Court Room No. 2 of the Appellate Division of Supreme Court of Bangladesh



Judges' Lounge of the Supreme Court of Bangladesh

decisions of the High Courts established in the provinces of the Pakistan. The Dhaka High Court had the jurisdiction to issue writs in the nature of Habeas Corpus, Mandamus, Prohibition, Quo-warranto and Certiorari, with further authority to declare any law promulgated violating the provisions of the Constitution as bad and void.

Supreme Court under the Constitution:

The Supreme Court of Bangladesh, with the sitting judges and the Chief Justice, is the repository of judicial power at the national level and the upholder and final interpreter of the Constitution of the People's Republic of Bangladesh (Constitution) as well as the defender of the Constitution and rule of law in the Country. Part-VI of the Constitution relates to jurisdiction of the Courts. It contains 3 chapters of which Chapter-I provides power and authority of the Supreme Court, Chapter-2 relates to the Sub-ordinate Courts and Chapter-3 deals with the Administrative Tribunal.

The Chapter-I contains article 94 to 113. Article 94 relates to the setting up of the Supreme Court of Bangladesh comprising the Appellate Division and the High Court Division and that Bangladesh Supreme Court consists of the Chief Justice and such number of other judges, as the President may deem it necessary to appoint in each of the Divisions. The Constitution provides for one Chief Justice for both the Divisions and that the Chief Justice and the judges appointed to the Appellate Division are to sit in the Appellate Division, whereas the judges appointed in the High Court Division are to sit in the High Court Division. The Chief Justice is known as Chief Justice of Bangladesh. Article 95 of the Constitution provides that the Chief Justice and other judges shall be appointed by the President and a person shall not be qualified for appointment as a judge unless he is a citizen of Bangladesh and has acquired the required qualifications as enumerated in Article 95. At the present, as per article 96, a judge shall not be removed from office unless he ceased to be capable of properly performing his functions because of physical or mental incapacity or is found to be guilty of gross misconduct, through an inquiry to be conducted by the Supreme Judicial Council, which Council consists of the Chief Justice and the next two senior judges, and the judges are to observe the prescribed Code of Conduct framed by the Supreme Judicial Council. Article 97 provides for temporary appointment for performing the functions of the performing Chief Justice, as and when necessary, in the absence of the Chief Justice on account of illness or any other cause, and such appointment is to be given by the President to the senior judge of the Appellate Division next to Chief Justice. Article 98 provides for appointment of Additional Judge(s) in the Supreme Court for any period not exceeding two years and a judge of the High Court Division may be required to sit in the Appellate Division for a temporary period as an ad-hoc judge. Normally, a judge is appointed afresh on regular basis under article 95 of the Constitution, after his satisfactory performance as an Additional Judge, appointed under article 98. Article 100 of the Constitution provides that the permanent seat of the Supreme Court shall be in the Capital. However, judges of the High Court Division may be required to sit at such other place or places as the Chief Justice may, with the approval of the President, from time to time appoint. Articles 101 and 102 provides the jurisdiction and power of the High Court Division in exercising its judicial functions and articles 102, 104 and 105 provide the jurisdiction and power of the Appellate Division in exercising its judicial functions. The Appellate Division is also given the advisory jurisdiction to give opinion to any question of law relating to such national and public importance as may appear to the President, which may be referred by him under Article-106. Article 107 provides the rule making power of the Supreme Court and the authority of the Chief Justice in constituting Benches of any Division. Article-108 empowers the Supreme Court to order for investigation and award punishment for any contempt. Article 111 declares the binding effect of law declared by the Appellate Division on all authority of the Republic and the Courts including the High Court Division and the binding effect of the law declared by the High Court Division upon all authority of the Republic and the Subordinate Courts. Article 112

requires all authority, executive and judicial, in the Republic to act in aid of the Supreme Court. Article 107 provides authority to the Supreme Court to make rules for regulating, practice and procedure of both the Divisions of the Supreme Court or any Sub-ordinate Court, subject to approval of the President, and article 113 gives the authority to the Chief Justice or such other judge or officer, as he may direct, for appointment of staff of Supreme Court in accordance with the rules framed with previous approval of the President, and such appointment and service condition of the Supreme Court staff are guided by the rules framed by the Division concern. The power to issue writ to redress the violations of rights guaranteed by the fundamental rights, detailed in Part-III of the Constitution, and the authority to declare any law promulgated inconsistent with the rights guaranteed under Part-III of the Constitution, as void has been exclusively vested with the High Court Division under the provisions of articles 44 and 102 of the Constitution. Article-109 has given the High Court Division the power and authority of superintendence and control over all Courts and Tribunals, sub-ordinate to it. Article-110 authorizes the High Court Division to call for any case, pending before any sub-ordinate Court, requiring determination of a substantial question of law as to the interpretation of the Constitution, or any point of public importance, for disposal of the case by itself or to determine the question of law and then send back the case to the trial Court for disposal in conformity with the answer given by the High Court Division. Article-114 provides for establishment of Courts sub-ordinate to the Supreme Court and normally the sub-ordinate Courts under civil jurisdiction are set up under the provisions of the Civil Courts Act, 1887 and those of criminal jurisdiction are set up under the Code of Criminal Procedure, 1898. Persons employed in judicial service and Magistracy are independent in exercising their respective judicial functions.

The Appellate Division of the Supreme Court of Bangladesh has seven judges including the Chief Justice and the High Court Division has sixty seven judges.



Interior View of the Supreme Court of Bangladesh



Hon'ble Chief Justice and Hon'ble Judges of both the Divisions of the Supreme Court of Bangladesh



Conference Room of the Supreme Court of Bangladesh



Part of the Judges' Libraries of the Supreme Court of Bangladesh

Profile of the Hon'ble Chief Justice of Bangladesh and Hon'ble Judges of the Appellate Division of the Supreme Court of Bangladesh



Mr. Justice M. M. Ruhul Amin

Chief Justice of Bangladesh

Father's name : Late Alhaj M. A. Khaleque.

Mother's name : Late Mrs. Amirunnessa.

Born on 23rd December, 1942.

Obtained M.A. and LL.B. degree in 1963 and 1966 respectively from the University of Dhaka.

Joined in the Judicial Service in 1967. Promoted to the rank of District and Sessions Judge in 1984 and served in the Districts of Kishoregonj, Cox's Bazar, Chittagong and Jessore.

Elevated as Additional Judge of the High Court Division on 10.02.1994 and was confirmed as Judge of the High Court Division in 1996. Elevated as Judge of the Appellate Division on 13 July 2003.

Appointed Chief Justice of Bangladesh on May 25, 2008 and assumed the office of Chief Justice of Bangladesh on June 01. and will retire on December 22, 2009.

Attended a course of "Court Administration and Case Management" at the National Judicial College, Reno, Nevada, U.S.A. and also observed the court systems and case management of the Courts of Philippines and U.S.A. in 1990.

Was Chairman of Bangladesh Judicial Service Commission from 2004 till elevation as the Chief Justice; Chairman of the Monitoring Committee for separation of judiciary in

Bangladesh in 2007; Member of the Supreme Court Project Implementation Committee (SCPIC) under the Legal and Judicial Capacity Building Project.

In 2002 visited U.S. Supreme Court and other courts in Washington and Sanfrancisco (California), and the Royal Court of Justice and other Courts in London, U.K. and observed the case management, A.D.R. and court administration. Also met the Lord Chief Justice of England and Wales, Lord Justice Woolf.

In 2005 visited West Bengal Public Service Commission, India, met its Chairman and observed the recruitment process of Judicial Officers at the entry level. Met the Chief Justice of Calcutta High Court and the Judge responsible for recruitment of Judicial Officers at the entry level. Met the Chief Justice of Delhi High Court and the Recruitment Committee consisting of Judges of Delhi High Court for recruitment of judicial officers at the entry level and had discussion in the matter of recruitment of judicial officers.

Also met the Chairman of the Union Public Service Commission of India, New Delhi and learnt about the recruitment procedure of the officers in the Central Government Service. Also met some senior judges of India and had a discussion regarding judicial matters. Also met the Chairman of Law Commission of India and had a discussion regarding power and functions of the Commission.

In 2006 visited U.K. with the Chief Justice of Bangladesh as a royal guest and had discussion with the presiding Judge of the Family Court Division of the High Court in the Royal Court of Justice, London, U.K. and had discussion regarding the problems faced by the children of the British Citizen of Bangladeshi origin when visiting Bangladesh. Met the Lord Chancellor, the Lord Chief Justice and the Attorney General of U.K.

In 2007 visited India (Delhi), Nepal and Sri-Lanka and had discussion with the senior Judge of the Supreme Court of India, the Chief Justice of Nepal, the Law Minister of Nepal, the Senior Judge of the Supreme Court of Sri-Lanka and the Law Minister of Sri-Lanka regarding the service and pay structures of judicial officers of those countries and prepared a report thereon.

On January, 2009 attended the Chief Justices Conference of the Asia and the Pacific Region held in Singapore on Judicial Reforms with special emphasis on reduction of backlog of cases.

Mr. Justice Mohammad Fazlul Karim

Father's name : Late Al-haj Ahmed Kabir.
Mother's name: Late Sunia Ara Begum.
Born on 30.09.1943.

Obtained LL.B. from the University of Dhaka in 1964. Called to the Bar from Lincoln's Inn in 1969.

Enrolled as an Advocate of the District Court, Chittagong in 1965, the High Court at Dhaka in 1970, and the Appellate Division of the Supreme Court of Bangladesh in 1979.

Elevated as Additional Judge of the High Court Division on November 1, 1992 and Judge of the same Division on November 1, 1994. Elevated as Judge of the Appellate Division of the Supreme Court of Bangladesh on May 15, 2001.

Elected as the Secretary of the Supreme Court Bar Association in 1982 and a member of the Bangladesh Bar Council in 1992.

Presently Chairman of the Judicial Service Pay Commission and Member of the Delhi based Asia Pacific Advisory Forum on "Judicial Education on Gender Equality Issue". Was Chairman of the Court Administration and Court Management Scheme of Capacity Building Project, Member of the Scheme for Mediation and Alternative Dispute Resolution under the aid of USIS.

Participated Conferences on 'Judicial Education on Gender Equality Issue' at India, Pakistan, Srilanka and Nepal in 1998-2006, the SAARC Law Conference held at Dhaka, Conference on Prison Reform in South East Asia held at Khatmandu, Nepal in 1996.

Visited different Courts and Institutions in UK and USA in 2002 to observe Case Management, Court Administration and Alternative Dispute Resolution.



Mr. Justice Tafazzul Islam

Father's name : Late Momtazuddin Ahmed.
Mother's name: Late Mazedra Khatun.
Born in 1943.

Obtained B.A. (Hons), M.A. in History and LL.B. from the University of Dhaka. Called to Bar of England and Wales from the Lincoln's Inn in 1967.

Enrolled as an Advocate of the High Court Division in 1969 and the Appellate Division in 1980.

Elevated as Judge of the High Court Division of the Supreme Court of Bangladesh in 1994 and Appellate Division in 2003.

Was Chairman, Enrolment Committee, Bangladesh Bar Council and Member of Corporate Law Commission. Now Chairman of Bangladesh Judicial Service Commission.

Attended the Commonwealth Judges Conference held in Sydney, Australia in 2003, 7th SAARC LAW Conference held in Colombo, Srilanka in 1998 and chaired the session on "Intellectual property issues in the SAARC region." and Conference of "Judicial Heads of Muslim Countries" held in Tehran, Iran in 2007.



Mr. Justice Md. Joynul Abedin

Father's name : Late Md. Gholam Hossain.
Mother's name : Late Begum Rezia.
Born on 01.01.1943 in Chuadanga.

Obtained LL.B from the University of Dhaka and became Barrister-at-Law, as a member of the Lincoln's Inn, London in 1967.

Enrolled as an Advocate of the Dhaka District Court in 1968, the High Court Division in 1969 and the Appellate Division in 1980.

Appointed as Additional Judge of the High Court Division on June 1, 1996 and Judge of the same Division on May 31, 1995. Elevated as Judge of the Appellate Division of the Supreme Court of Bangladesh on August 24, 2006.

Chaired various Enquiry Commissions including the Judicial Inquiry Commission on the incident of Grenade attack on Awami League Rally on 21st August in 2004.

Widely travelled abroad namely, USA, UK, Australia, Malaysia, Indonesia, UAE, France, Germany, Italy etc.



Mr. Justice Md. Abdul Matin

Father's name : Late Moulovi Ashahid Ali.
Mother's name : Late Musammat Kulsuma Banu.
Born on 26.12.1943.

Obtained B.A. from the University of Dhaka in 1963 and LL.B. from the same University in 1965.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in 1966, 1973 and 1981 respectively.

Elevated as Additional Judge of the High Court Division in 1996 and appointed Judge of the same Division in 1998. Elevated as Judge of the Appellate Division of the Supreme Court of Bangladesh on September 19, 2007.

Served as Chairman of the Review Board for reviewing cases of detention; Member of Enrollment Committee of Bangladesh Bar Council and Member of General Administrative Committee of the High Court Division. And at present is the Chairman of the Enrollment Committee of the Bar Council.

Was Legal Advisor of Bangladesh Text Book Board and Penal Advocate of various Banks. Participated in various international dialogues, seminars and meetings. Led the delegation and presented paper at the Seminar on "Human Rights in Judgments in South Asia" held in India in 2007.

In 2008 attended Judges Conferences in India, Srilanka, UK and Pakistan. Also visited India and attended International Conference of the Chief Justice and Judges held at Delhi and Lucknow. Widely travelled in USA, Canada and UK.





Retired Judges of the Appellate Division

Mr. Justice Md. Ruhul Amin

Former Chief Justice of Bangladesh.

Born in 01.06.1941.

Elevated as Additional Judge of the High Court Division on 18.02.1992 and appointed Judge of the same division on 17.02.1994. Elevated as Judge of the Appellate Division on 11.01.2001 and assumed Office of the Chief Justice of Bangladesh on 01.03.2007. Retired on 31.05.2008.



Mr. Justice Md. Hassan Ameen

Born in 03.07.1941.

Elevated as Additional Judge of the High Court Division on May 30, 1996 and appointed Judge of the same division on May 30, 1998. Elevated as Judge of the Appellate Division on 21.03.2007. Retired on 03.07.2008.



Profile of the Hon'ble Judges of the High Court Division of the Supreme Court of Bangladesh

Mr. Justice Shah Abu Nayeem Mominur Rahman

Father's name : (Late) Alhaj Fakir Abdul Mannan.
Mother's name : (Late) Alhaj Wazeda Akhtar Khatoon.
Born on 15.11.1944.

Obtained B.Sc. (Hons), M.Sc. (Physics) and LL.B. (Dhaka University) in 1965, 1966 and 1970 respectively.

Enrolled as an Advocate of the Dhaka District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 01.01.1972, 16.01.1974 and 10.01.1980 respectively.

Elevated as Additional Judge of the High Court Division on 01.06.1996 and appointed Judge of the same Division on 31.05.1998.

Participated in the First South Asian Regional Judicial Colloquium on Access to Justice held in New Delhi, India, 2002.

Also visited India, Nepal, Thailand, Singapore, Hong Kong, China, Saudi Arabia, USA and Canada.



Mr. Justice Md. Abdul Quddus

Born in 15.01.1942.

Elevated as Additional Judge of the High Court Division on 27.04.1998 and appointed Judge of the same division on 27.04.2000.



Mr. Justice (Alhaj) Md. Abdul Aziz

Father's name : Late Alhaj Md. Abdur Rahim.
Mother's name : Late Alhaj Most. Hazera Khatun.
Born on 01.01.1943.

Obtained B.A., LL.B. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in 1966, 1969 and 1983 respectively.

Elevated as Additional Judge of the High Court Division on 27.04.1998 and appointed Judge of the same Division on 27.04.2000.



Mr. Justice Bijan Kumar Das (B.K. Das)

Father's name : Late Benay Krishna Das.
Mother's name : Satadal Bashim Das.
Born on 11.04.1943.

Obtained B.A., LL.B. Enrolled as an Advocate of the High Court Division and the Appellate Division of Bangladesh Supreme Court on 30.09.1966 and 25.04.1980 respectively.

Elevated as Additional Judge of the High Court Division on 27.04.1998 and appointed Judge of the same Division on 27.04.2000.



Mr. Justice A.B.M. Khairul Haque

Father's name : Late Mr. M.R. Haque.
Mother's name : Mrs. Khurshid Jahan Haque.
Born on 18.05.1944.

Obtained Bachelor of Laws from University of Dhaka and Barrister-at-Law from Hon'ble Society of Lincoln's Inn, London.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in the year 1970, 1976 and 1982 respectively.

Elevated as Additional Judge of the High Court Division on April, 1998 and appointed Judge of the same Division on April 2000.

Attended the International Law Conference held at Khatmandu, Nepal in the year 1994.



Mr. Justice Md. Abdur Rashid

Born in 27.01.1942.

Elevated as Additional Judge of the High Court Division on 24.10.1999 and appointed Judge of the same division on 24.10.2001.



Mr. Justice Md. Muzammel Hossain

Father's name : Late Al-haz Ahmed Hossain.
Mother's name : Begum Asia Akther Khatun.
Born on 17.01.1948.

Obtained Bachelor of Laws Degree in 1970 and M.A. in Journalism in 1971 from University of Dhaka. Obtained Barrister-at-Law from Hon'ble Society of Lincoln's Inn, London in 1977 and LL.M from University of Sheffield, U.K. in 1980.

Enrolled as an Advocate of the District Court, and the High Court Division of Bangladesh Supreme Court on February 1971 and in 1978 respectively.

Elevated as Additional Judge of the High Court Division on 27.04.1998 and appointed Judge of the same Division on 25.04.2000.

Participated in a seminar on Racial Equality, U.K. in 1976, in a conference on "The Courts of the Commonwealth and Judicial Precedent in the Commonwealth" U.K. in 1977 and SAARC Law Conference, Karachi, Pakistan in 1977.

Visited India, Nigeria, Pakistan, Qatar, Russia, Saudi Arabia, UAE.



Mr. Justice Khademul Islam Chowdhury

Father's name : Late Mofzal Ahmed Chowdhury.
Mother's name : Late Monirun Nessa Chowdhurani.
Born on 18.04.1942.

Obtained B.A, LL.B. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in the year 1968, 1966 and 1992 respectively.

Elevated as Additional Judge of the High Court Division on 24.10.1999 and appointed Judge of the same Division on 24.10.2001.

Visited India.



Mr. Justice Sikder Maqbul Huq

Father's name : Mvi. Abdul Gani Sikder.
Mother's name : Ms. Sona Baru Begum.
Born on 19.01.1943.

Obtained B.A, LL.B. Joined the Judicial Service as Munsif in the year 1969 and promoted as District and Sessions Judge on 07.01.1985.

Elevated as Additional Judge of the High Court Division on 24.10.1999 and appointed Judge of the same Division on 24.10.2001.

Visited U.K. as Head of the delegation in connection with a Project for Library Documentation under World Bank Capacity Building Project in the year 1999.



Mr. Justice Surendra Kumar Sinha

Father's name : Late Lalit Mohan Sinha.
Mother's name : Whanafati Sinha.
Born on 01.02.1951.

Obtained LL.B. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in the year 1973, 1978 and 1990 respectively.

Elevated as Additional Judge of the High Court Division on 24.10.1999 and appointed Judge of the same Division on 24.10.2001.

Participated in the 3rd International Conference of the Chief Justice of the World, as representative of Chief Justice of Bangladesh held at Lucknow, India in 2002 and in the Judicial Training Programme for the Senior Judges of Bangladesh, held at Seoul, Korea.

Visited India, Nepal, Qatar, South Korea, Thailand, UK & USA.



Mr. Justice Md. Abdul Wahhab Miah

Father's name : Late Md. Abdus Satter Miah.
Mother's name : Syeda Tahera Begum.
Born on 11.11.1951.

Obtained B.A., LL.B. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 01.11.1974, 02.11.1976 and 14.01.1982 respectively. Also enrolled as a Senior Advocate in the Appellate Division on 27.05.1999.

Elevated as Additional Judge of the High Court Division on 24.10.1999 and appointed Judge of the same Division on 24.10.2001.

Visited Saudi Arabia, India, Indonesia and Australia.



Madame Justice Nazmun Ara Sultana

Father's name : Late Chowdhury Abul Kashem Moinuddin.
Mother's name : Begum Rashida Sultana Deen.
Born on 08.07.1950.

Obtained B.Sc., LL.B. Enrolled as an Advocate of the Mymensingh District Court on July 1972.

Joined the Judicial Service as Munsif on 20.12.1975 and promoted as District and Sessions Judge on 20.12.1990.

Elevated as Additional Judge of the High Court Division on 28.05.2000 and appointed Judge of the same Division on 28.05.2002.

Visited U.S.A, Italy, China, Hong Kong, Argentina, Australia, Panama, India, Nepal and participated in various International Seminars there.



Mr. Justice Md. Arayes Uddin

Father's name : Late Sk. Solaiman Miah.
Mother's name : Late Patuja Khatun.
Born on 01.02.1943.

Obtained B.A, LL.B. Enrolled as an Advocate of the Chapai-Nawabgonj District Court on 25.11.1966. Joined the Judicial Service as Munsif on 11.03.1970 and promoted as District and Sessions Judge on 08.07.1987.

Elevated as Additional Judge of the High Court Division on 24.10.1999 and appointed Judge of the same Division on 24.10.2002.



Mr. Justice Syed Mahmud Hossain

Father's name : Janab Syed Mustafa Ali.
Mother's name: Begum Kawsar Jahan.
Born on 31.12.1954.

Obtained B.Sc., LL.B. degree and completed "Commonwealth young lawyers Course" from London University.

Enrolled as an Advocate of the District Court and the High Court Division of Bangladesh Supreme Court in the year 1981 and 1983 respectively.

Elevated as Additional Judge of the High Court Division on 22.02.2001 and appointed Judge of the same Division on 22.02.2003.

Participated in International Seminar on "Implementing the International Code of Marketing of Breastmilk Substitutes" in Penang, Malaysia.

Visited Norway, Denmark and Sweden on a 'Study tour' from 19.12.2008 to 29.12.2008 as a member of the delegation headed by the Hon'ble Chief Justice of Bangladesh.



Mr. Justice Muhammad Imman Ali

Father's name : Israil Ali.
Mother's name : Alifjan Bibi.
Born on 01.01.1956.

Obtained B.A. (Hons.), LL.M. and Barrister-at-Law.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 21.06.1979, 11.05.1982 and 21.08.1995 respectively.

Elevated as Additional Judge of the High Court Division on 22.02.2001 and appointed Judge of the same Division on 22.02.2003.

Participated in the International Workshops and Trainings for the Development of Legal Framework Governing Civil Liability for Nuclear Damage and for Preparedness and Response to Radiological Emergencies held in Korea, Austria, Indonesia, and Czech Republic in 1997, 1998, 1999, 2000 respectively. Also participated in the International Seminar on Trafficking held in India, 2007 and the seminar on 'Youth Justice' in Malaysia and Newzeland in 2008.



Mr. Justice Sheikh Rezowan Ali

Father's name : Late Sheikh Badruddoza.
Mother's name : Late Begum Arman.
Born on 01.02.1946.

Obtained B.A, LL.B. degree, joined the Judicial Service as Munsif on 12.04.1972 and promoted as District and Sessions Judge on 24.09.1988.

Elevated as Additional Judge of the High Court Division on 03.07.2001 and appointed Judge of the same Division on 03.07.2003.

Visited U.S.A, Japan and India.



Mr. Justice Mohammad Anwarul Haque

Father's name : Late Mohammad Osman Gani.
Mother's name : Late Halima Khatun.
Born on 09.04.1947.

Obtained M.A., LL.B (Dhaka University). Completed the Certificate Course on Effective Case Management in "National Judicial College under the University of Nevada, Reno, Florida, USA in the Year 2001.

Joined the Judicial Service as Munsif on 15.04.1972 and promoted as District and Sessions Judge on 14.11.1988.

Elevated as Additional Judge of the High Court Division on 03.07.2001 and appointed Judge of the same Division on 03.07.2003.

Participated in ADR Program at San-Francisco, California, USA in the year 2000. Attended in a "Judicial Seminar on Commercial Litigation," New South Wales, Sydney, Australia and attended study tour Program on "Decreasing the Jail Population and their Reformatory System of Malawai," Africa. Visited Indian Institute of Public Administration (IIPA), New Delhi in 1989. Visited UNO Head Quarter, New York in 1999. Also visited U.A.E, Saudi Arabia, Malaysia and Nairobi, Kenya.

Was a Member of the delegation of Extradition Treaty Negotiation at Washington DC between Bangladesh-USA in 2001 and a Member of the Delegation to fix up the terms of reference in order to settle up the boundary dispute between Bangladesh and India at New Delhi, 2001.



Mr. Justice Nozrul Islam Chowdhury

Father's name : Late Mr. Golam Mustafa Chowdhury.
Mother's name : Late Mrs. Rahima Khanam Chowdhury.
Born on 13.12.1948.

Obtained B.A., LL.B. degree from University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in the year 1974, 1977 and 1992 respectively.

Elevated as Additional Judge of the High Court Division on 03.07.2001 and appointed Judge of the same Division on 03.07.2003.

Attended the International Seminar on "Human Rights and Gender Equality" held in Nepal, 2006.
Visited India, Pakistan, U.K., U.S.A and France.



Mr. Justice Syed Muhammad Dastagir Husain

Father's name : Late Justice Syed A.B.Mahmud Husain.
Mother's name : Late Sufia Begum.
Born on 18.09.1951.

Obtained degree on B.Jur (Hons), M. Jur. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in the year 1977, 1979 and 1984 respectively.

Elevated as Additional Judge of the High Court Division on 03.07.2001 and appointed Judge of the same Division on 03.07.2003.

Attended General Assembly for establishment of International Criminal Court and the 5th International Conference of the Chief Justice of the World, as representative of Chief Justice of Bangladesh, Lucknow, India in 2004.

Visited U.S.A., U.K., Switzerland, Saudi Arabia, UAE, Nepal, Taiwan, Thailand.



Mr. Justice Mirza Hussain Haider

Father's name : Late Mirza Ashrafruddin Haider.
Mother's name : Mrs. Amina Khatoon.
Born on 01.03.1954.

Obtained LL.B (Hons), LL.M. degree. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in the Year 1979, 1981 and 1999 respectively.

Elevated as Additional Judge of the High Court Division on 03.07.2001 and appointed Judge of the same Division on 03.07.2003.

Participated in the 4th International Conference of the Chief Justice of the World, Lucknow, India in 2003, South-Asian Judges Conference, Kolkata, India in 2007 and Judicial Training Programme for Foreign Judges, Korea in 2006.

Visited U.K, France, Malaysia, India, Nepal, Uzbekistan, Bhutan, Saudi Arabia, Bahrain.



Mr. Justice Khondker Musa Khaled

Father's name : Late Khondker Ahsaunddin Ahmed.
Mother's name : Late Ashrafunnessa Begum.
Born on 03.03.1946.

Obtained M.A., LL.B. degree from University of Dhaka. Enrolled as an Advocate in the Dhaka District Court in the year 1969.

Joined the Judicial Service as Munsif on 01.11.1971 and promoted as District and Sessions Judge on 01.02.1989.

Elevated as Additional Judge of the High Court Division on 03.07.2001 and appointed Judge of the same Division on 27.08.2003.

Participated in the Training Course on 'Teaching of Human Rights in the Asia-Pacific Region' held at Bangkok, Thailand in 1987 and in the Training Course on 'Court Management and Reducing Court Delay' held in "National Judicial College under the University of Nevada, Reno, U.S.A in 1989.

Visited Saudi Arabia, India, Pakistan, Malaysia, Singapore and Thailand.



Mr. Justice Mir Hashmat Ali

Father's name : Late Al-Haj Mir Pear Ali.
Mother's name : Late Mst. Anjuman Nessa.
Born on 02.10.1945.

Obtained B.Com, LL.B. Enrolled as an Advocate in the District Court and the High Court Division of Bangladesh Supreme Court on 01.03.1976 and 02.03.1978 respectively.

Elevated as Additional Judge of the High Court Division on 29.07.2002 and appointed Judge of the same Division on 29.07.2004.

Participated in the Law Asia Conference, Delhi in 1984, I.A.D.L Conference, Delhi in 1986, I.A.D.L Conference-Tokyo in 1989, Commonwealth Lawyers Conference-London, UK in 1995 and Conference on Gender Equality, Human Rights at Katmandu, Nepal in 2006.

Attended higher training on White Color Crime, Money Laundering, Anticorruption, Oxford University, UK, 1993.

Visited India, Pakistan, U.K., U.S.A, Japan, Malaysia, Singapore, Nepal and Saudi Arabia.



Mr. Justice Mashuque Hosain Ahmed

Father's name : Late Muzaffar Hussain Ahmad.
Mother's name : Late Meherunnessa.
Born on 01.12.1945.

Obtained LL.B. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in the year 1969, 1973 and 1999 respectively.

Elevated as Additional Judge of the High Court Division on 29.07.2002 and appointed Judge of the same Division on 29.07.2004.



Mr. Justice A.K.M Fazlur Rahman

Father's name : Late Serajuddin Ahmad.
Mother's name : Late Jahanara.
Born on 15.01.1946.

Obtained B.A., LL.B. Enrolled as Advocate of the District Court in the year 1969.

Joined the Judicial Service as Munsif on 19.02.1973 and promoted as District and Sessions Judge 15.06.1989.

Elevated as Additional Judge of the High Court Division on 29.07.2002 and appointed Judge of the same Division on 29.07.2004.

Participated in the Regional Symposium on the role of the judiciary in promoting sustainable development held in Srilanka, 1997.



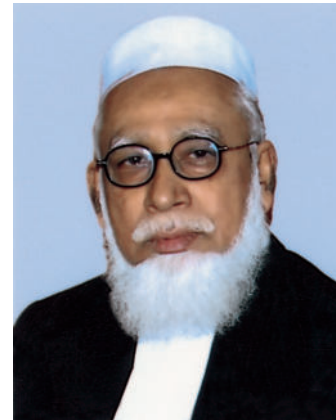
Mr. Justice Siddiqur Rahman Miah

Father's name : Late Abdul Mazed Miah.
Mother's name : Late Mst. Tokbon Nessa.
Born on 02.06.1946.

Obtained B.A. (Hons), M.A (Double) from University of Dhaka. Completed Certificate Courses on Legislative Drafting from Kenya School of Law, Nairobi and on Administration and Development from Indian Institute of Public Administration, Delhi.

Joined the Judicial Service as Munsif on 01.01.1976 and promoted as District and Sessions Judge in Bangladesh Civil Service (Judicial) on 03.03.1993.

Elevated as Additional Judge of the High Court Division on 29.07.2002 and appointed Judge of the same Division on 29.07.2004.



Mr. Justice Abdul Awal

Father's name : Late Siddique Ahmed.
Mother's name : Late Tayaber Nessa.
Born on 20.08.1946.

Obtained M.A. (Eco), LL.B. Enrolled as Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on in the year 1973, 1975 and 1995 respectively.

Elevated of as Additional Judge of the High Court Division on 29.07.2002 and appointed Judge of the same Division on 29.07.2004.

Participated in the Law-Asia Conferences held in India and Japan.



Mr. Justice Sharif Uddin Chaklader

Father's name : Late Shamsuddin Chaklader.
Mother's name : Begum Saleha Chaklader.
Born on 20.01.1949.

Obtained B.Sc., LL.B. Enrolled as an Advocate of the District Court and the High Court Division Bangladesh Supreme Court in the year 1974 and 1976 respectively. Became Advocate-on-record in the Appellate Division of Supreme Court of Bangladesh in 1989.

Elevated as Additional Judge of the High Court Division on 29.07.2002 and appointed Judge of the same Division on 29.07.2004.

Participated in the International Conferences on Regional Action Forum Improving the implementation of laws and policies protecting women and children, South Asian Judges Workshop on combating trafficking in Women and Children, Kathmundu, Nepal, 2005 and Judicial Training Programme for Foreign Judges, Seoul, Korea.



Mr. Justice Md. Mizanur Rahman Bhuiyan

Father's name : Late Muzibur Rahman Bhuiyan.
Mother's name : Late Altafunnessa Begum.
Born on 07.09.1950.

Obtained B.A. (Hons), M.A., LL.B. Enrolled as an Advocate of the High Court Division of Bangladesh Supreme Court on 07.07.1984.

Elevated as Additional Judge of the High Court Division on 29.07.2002 and appointed Judge of the same Division on 29.07.2004.



Mr. Justice Syed A.B. Mahmudul Huq

Father's name : Late Syed A.M Mustafizul Huq.
Mother's name : Late Begum Syeda Mahmuda.
Born on 31.12.1950.

Obtained B.A., LL.B. Enrolled as an Advocate of the District Court and the High Court Division of Bangladesh Supreme Court in the year 1974 and 1978 respectively.

Elevated as Additional Judge of the High Court Division on 29.07.2002 and appointed Judge of the same Division on 29.07.2004.



Mr. Justice Tariq ul Hakim

Father's name : Justice Maksum-ul-Hakim.
Mother's name : Nessima Hakim.
Born on 20.09.1953.

Obtained M.Sc., Barrister-At-Law (London). Enrolled as an Advocate of the District Court and the High Court Division of Bangladesh Supreme Court on 09.03.1987 and 09.03.1989 respectively.

Elevated as Additional Judge of the High Court Division on 29.07.2002 and appointed Judge of the same Division on 29.07.2004.

Participated in many International Seminars and Law Conferences in Bangladesh and abroad.

Visited several States of America, Europe and Asia.



Madame Justice Salma Masud Chowdhury

Father's name : Mr. Justice Chowdhury A.T.M. Masud.
Mother's name : Aminun Nesa Khatun.
Born on 13.12.1957.

Obtained LL.B (Hons), LL.M. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in 1981, 1983 and 1996 respectively.

Elevated as Additional Judge of the High Court Division on 29.07.2002 and appointed Judge of the same Division on 29.07.2004.

Participated in the " Trial Advocacy Program" held in Kuala Lumpur, Malaysia, conference on Women, at the end of the women decade, held at Nairobi, the regional conference on "Environmental Justice" (Judge's Conference) at Katmandu, Nepal and Workshops on Women and Islam held at Kuala Lumpur, Malaysia and at Jakarta, Cerabon and Yogiakarta, in Indonesia along with the Islamic jurists of South East Asia.

Presented a paper on "Muslim Family Laws relating to Women in Bangladesh" at an Internajntional Women Lawyers' Conference at Lahore, Pakistan and a paper on "Drug abuse and remedial measures in Bangladesh-a national report" at 23rd FIDA Convention at Brussels, Belgium.



Mr. Justice Afzal Hossain Ahmed

Father's name : Late Mvi. Mozammel Hossain Ahmed.
Mother's name : Late Most. Amena Khatun.
Born on 10.05.1945.

Obtained B.A, LL.B. Joined the Judicial Service as Munsif in the year 1970 and promoted as District and Session Judge on 17.09.1987.

Elevated as Additional Judge of the High Court Division on 27.04.2003 and appointed Judge of the same Division on 27.04.2005.

Visited UK, France, Sweden, Denmark, Thailand, Indonesia, Australia, Singapore, Srilanka and India.



Mr. Justice A.F.M Ali Asgar

Father's name : Late Maulana Ali Ahmed.
Mother's name : Late Rafiqua Khatun.
Born on 01.01.1948.

Obtained M.A. LL.B. from University of Dhaka. Enrolled as an Advocate of the District Court and the High Court Division of Bangladesh Supreme Court on 01.02.1971 and 22.05.1974 respectively.

Elevated as Additional Judge of the High Court Division on 27.04.2003 and appointed Judge of the same Division on 27.04.2005.

Participated LAW ASIA Conference at New Delhi, 1972.

Visited UK, France Saudi Arabia, Abu Dhabi, Bahrain and India.



Mr. Justice Farid Ahmed

Father's name : Late Sultan Ahmed.
Mother's name : Late Sabera Begum.
Born on 03.01.1950.

Obtained B.Com, LL.B. Enrolled as an Advocate of the District Court and the High Court Division of Bangladesh Supreme Court in the year 1980 and 1982 respectively.

Elevated as Additional Judge of the High Court Division on 27.04.2003 and appointed Judge of the same Division on 27.04.2005.



Mr. Justice Shamim Hasnain

Father's name : M. A. Basir.
Mother's name : Zeenat Ara.
Born on 24.04.1950.

Obtained B.A. (Hons), M.A. LL.B., MCL, ATTORNEY-AT-Law & ACI Arb.

Enrolled as an Advocate of the District Court and the High Court Division of Bangladesh Supreme Court on 30.05.1980 and 30.12.1987 respectively.

Elevated as Additional Judge of the High Court Division on 27.04.2003 and appointed Judge of the same Division on 27.04.2005.

Attended the Asian Regional Consultative Meeting for review of the Draft Model Code for Post Conflict Justice held at Bangkok, Thailand.



Mr. Justice A.F.M Abdur Rahman

Father's name : Late Dr. Abdul Gaffar Khan.
Mother's name : Late Mosammat Mohsena Begum.
Born on 05.07.1951.

Obtained LL.B. (Dac), LL.B. (Hons) London, Barrister-at-Law of Lincoln's Inn., London.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 03.02.1979, 16.11.1982 and 14.01.2000 respectively.

Elevated as Additional Judge of the High Court Division on 27.04.2003 and appointed Judge of the same Division on 27.04.2005.

Visited UK, Malaysia, Singapore, India and Nepal.



Mr. Justice Dr. Md. Abu Tariq

Father's name : Late M. A. Matin.
Mother's name : Late Anwara Begum.
Born on 11.09.1952.

Obtained LL.B and Ph.D from World University Benson, ARIZONA, U.S.A.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 11.01.1977, 13.01.1979 and 02.01.1985 respectively.

Elevated as Additional Judge of the High Court Division on 27.04.2003 and appointed Judge of the same Division on 27.04.2005.

Visited U.K, U.S.A, France, UAE, Malaysia, Singapore and India.



Mr. Justice Muhammad Abdul Hafiz

Father's name : Al-haj Muhammad Abdul Jabbar.
Mother's name : Rabeya Khanam.
Born on 01.06.1957.

Obtained LL.B degree from University of Dhaka.

Enrolled as an Advocate of the Dhaka District Court and the High Court Division of Bangladesh Supreme Court in the year 1982 and 1985 respectively.

Elevated as Additional Judge of the High Court Division on 27.04.2003 and appointed Judge of the same Division on 27.04.2005.

Participated in a Judicial Training Program in Korea.



Madame Justice Zinat Ara

Father's name : Late H.M.R Siddiqui.
Mother's name : Late Begum Ayesha Siddiqui.
Born on 15.03.1953.

Obtained B.Sc., LL.B. Joined the Judicial Service as Munsif in the year 1978 and promoted as District and Sessions Judge on 15.09.1995.

Elevated as Additional Judge of the High Court Division on 27.04.2003 and appointed Judge of the same Division on 27.04.2005.

Attended training on intellectual Property Rights, in Beijing and Shanghai, China in the year 2001, a Certificate Course held at Harvard Law School, Cambridge, USA in 1990 and training on Legislative Drafting in 1984.

Attended various International Seminars in U.S.A, China, Argentina, Australia, Germany, India, Nepal, Pakistan, Panama, Philippines, Taiwan, Srilanka, Thailand.

Visited Belgium, Iraq, Kuwait, Malaysia, Netherlands, Jordan, Syria, Singapore and U.K.



Mr. Justice Dr. Syed Refaat Ahmed

Father's name : Late Barrister Syed Ishtiaq Ahmed.
Mother's name : Dr. Sufia Ahmed.
Born on 28.12.1958.

Obtained LL.B (Hons) University of Dhaka, 1983, M.A. Wadham College, University of Oxford, UK., M.A. in Law and Diplomacy, Tufts University, U.S.A and Ph.D. Tufts University U.S.A.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in 1984, 1986 and 2002 respectively.

Elevated as Additional Judge of the High Court Division on 27.04.2003 and appointed Judge of the same Division on 27.04.2005.

Was Member of Delegation: Study Tour to the United Kingdom on "Improvement of the Real Situation of Overcrowding in Prisons"

Participated in the 20th Refugee Law Course, 2001 at San Remo, Italy and the 2nd Course on Refugee Protection and Human Rights, 2006,

Attended course on Creating a Human Immigration Regime, Oxford, UK, 1997 and South Asian Initiative for Human Rights Convention, 2000 at Rajasthan, India. Was observer of Workshop for Judges on Justiciability of Economic, Social and Cultural Rights, 2001, New Delhi, India.



Mr. Justice A.T.M. Fazle Kabir

Father's name : Late Md. Mozharul Huque.
Mother's name : Late Mst. Taibatoon Nesa.
Born on 01.01.1947.

Obtained B.A., LL.B. Joined the Judicial Service as Munsif in the year 1975 and promoted as District and Sessions Judge on 22.10.1992.

Elevated as Additional Judge of the High Court Division on 27.08.2003 and appointed Judge of the same Division on 27.08.2005.

Visited U.K., and U.S.A as a member of the Judges' Team for a study tour in the year 2002.



Mr. Justice A.K.M. Asaduzzaman

Father's name : Late M. A. Samad.
Mother's name : Majeda Khatun.
Born on 01.03.1959.

Obtained LL.B (Hons), LL.M from Rajshahi University.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 05.09.1983, 05.09.1985 and 25.10.2001 respectively.

Elevated as additional Judge of the High Court Division on 27.08.2003 and appointed Judge of the same Division on 27.08.2005.



Mr. Justice Md. Miftah Uddin Choudhury

Father's name : Md. Abdul Ahad Choudhury.
Mother's name : Rigia Begum Choudhury.
Born on 26.07.1955.

Obtained LL.B (Hons.) LL.M. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in the year 1981, 1984 and 2001 respectively.

Elevated as Additional Judge of the High Court Division on 27.08.2003 and appointed Judge of the same Division on 27.08.2005.

Participated in a Judicial Training Program in Korea in 2006.

Visited U.K., India, Thailand, United Arab Emirates, Korea.



Mr. Justice Md. Ashfaqu Islam

Father's name : Justice A.K.M. Nurul Islam.
Mother's name : Jahanara Arjoo.
Born on 15.07.1959.

Obtained LL.B.(Hons.), LL.M. from University of Dhaka, F.I.C.P.S.(India).

Enrolled as an Advocate of the District Court and the High Court Division of Bangladesh Supreme Court in 1983 and 1985 respectively.

Elevated as Additional Judge of the High Court Division on 27.08.2003 and appointed Judge of the same Division on 27.08.2005.

Visited U.S.A, Canada, U.K, China, India, Indonesia, Malaysia, Thailand, Singapore, Pakistan, Nepal and Bhutan.



Mr. Justice Zubayer Rahman Chowdhury

Father's name : Late Justice A.F.M. Abdur Rahman Chowdhury.
Mother's name : Begum Sitara Chowdhury.
Born on 18.05.1961.

Obtained LL.B. (Hons), LL.M. (DU), LL.M. in International Law (UK).
Enrolled as an Advocate of the District Court and the High Court Division of Bangladesh Supreme Court on 03.03.1985 and 17.05.1987 respectively.

Elevated as Additional Judge of the High Court Division on 27.08.2003 and appointed Judge of the same Division on 27.08.2005.

Participated in the Orientation Lecture and visited NATO, Brussels, Belgium (1988), Summer Course on Human Rights, Prince Edward University, Canada, (1990), Seminar on Admiralty and Commercial Law, Kuala Lumpur, Malaysia, (2000), International Conference on Administrative Law and Administrative Tribunals, Quebec, Canada, (2001), International Conference on human Rights and Democracy, Kuala Lumpur, Malaysia, (2002), International Conference on Shariah Law & Common Law, Kuala Lumpur, Malaysia, (2006) and International Conference of Asian Society International Law, Singapore, (2007).



Mr. Justice Syed Abu Kowser Md. Dabirush-Shan

Father's name : Late Syed Akramuddin Ahmad.
Mother's name : Late Badarennessa Khatun.
Born on 01.01.1945.

Obtained LL.B. Enrolled as an Advocate of the District Court and the High Court Division of Bangladesh Supreme Court in 1969 and 1977 respectively.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.



Mr. Justice Shahidul Islam

Father's name : Late Abul Hossain.
Mother's name : Hamida Begum.
Born on 01.09.1948.

Obtained B.Sc., LL.B. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 24.12. 1975, 16.09.1982 and 20.06.2000 respectively.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.



Mr. Justice Md. Abdul Hye

Father's name : Late Md. Omar Ali Khan.
Mother's name : Late Musammat Hazera Khatun.
Born on 01.02.1949.

Obtained B.A., LL.B. Joined the Judicial Service as Munsif on 29.12.1975 and promoted as District and Sessions Judge on 17.04.1993.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.



Mr. Justice Quamrul Islam Siddiqui

Father's name : Late Moulvi Abdul Wahhab Siddiqui.
Mother's name : Late Mrs : Badrunessa Siddiqui.
Born on 30.05.1950.

Obtained B.A. (Hons), M.A. and LL.B. Joined the Judicial Service as Munsif on 26.12.1975 and promoted as District and Sessions Judge on 22.04.1992.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.

Studied International Law as UNITAR Fellow under UNO in the International Court of Justice, the Hague and also UNO Head Quarters, New York in 1982. Participated training Course on Legislative Drafting, in the Royal Institute of Public Administration, London, U.K. in 1996. Attended a course on Utility Services Legislation in the University of Florida, USA in 1997 and a certificate course on the Courts Administration in the National Judicial College, University of Nevada, Reno, USA in 2001.

Attended various Seminars/Symposiums both at home and abroad on Violence against Women and also Children Rights and a workshop on SAARC countries Children rights, Trafficking of Children etc held in Islamabad, Pakistan in 1996. Took part as a representative of the Govt. of Bangladesh in the State hearing on the Rights of the Children (CRC) held in Geneva, Switzerland.

Visited Denmark and Sweden to see the working of Ombudsman in the year 2000. Also visited Netherlands, Thailand, India, Pakistan, UK, Switzerland, USA, USSR, Denmark, Sweden, France.



Mr. Justice Md. Fazlur Rahman

Father's name : Late Mr. Rahim Baksha.
Mother's name : Late Most. Fatema Begam.
Born on 18.02.1951.

Obtained B.A. (Hons), M.A. (Eco), LL.B. and Diploma in Human Rights from Lund University, Sweden.

Joined the Judicial Service as Munsif on 18.11.1978 and promoted as District and Sessions Judge on 11.10.1995.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.

Participated in a six months' foreign training in Legislative Drafting conducted by Commonwealth Secretariat and in the Courses on Court Management and Court Administration. Visited London and New York



Mr. Justice Moyeenul Islam Chowdhury

Father's name : Late Mr. Abdul Fattah Chowdhury.
Mother's name : Mrs. Rownak-Ara-Begum.
Born on 09.01.1953.

Obtained B.A. (Hons), MA., LL.B. Joined the Judicial Service as Munsif on 17.03.1982 and promoted as District and Session Judge on 01.03.1998.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.

Participated in various International Seminars/ Symposia/ workshops in Australia and Thailand.



Mr. Justice Md. Emdadul Huq

Father's name : Late Sajjad Ahmed.
Mother's name : Late Mst. Monwara Begum.
Born on 01.10.1953.

Obtained B.Jur. (Hons), M.Jur. Joined the Judicial Service as Munsif on 20.11.1978 and promoted as District and Sessions Judges on November 1995.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.

Participated in a 6(six) months training Course in Legislative Drafting, Zimbabwe. Got 6(six) months training and working experience in Parliamentary Counsel's Offices at Canberra & Sydney, Australia and attended workshops and seminars on Legislation, parliamentary Procedure and application of Computer Technology in Preparing Draft Laws.

In 1994 visited Kolkata, India as member of Bangladesh delegation to observe the functioning of judicial magistracy and in 1999. Visited Delhi, as a member of Bangladesh delegation to negotiate on investment Agreement with India.



Mr. Justice Md. Rais Uddin

Father's name : Late Md. Afsar Uddin.
Mother's name : Mrs. Jobeda Khatoon.
Born on 30.06.1956.

Obtained B.Sc., LL.B. Enrolled as Advocate in the District Court and the High Court Division of Bangladesh Supreme Court on 22.08.1981 and 03.11.1983 respectively.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.



Mr. Justice Md. Emdadul Haque Azad

Father's name : Late Advocate Abdul Kalam Azad.
Mother's name : Late Jainab Azad.
Born on 16.10.1956.

Obtained LL.B (Hons). Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 11.03.1985, 13.04.1987 and 27.02.2001 respectively.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.



Mr. Justice Md. Ataur Rahman Khan

Father's name : Late Mr. Abdul Gaffar Khan.
Mother's name : Mrs. Amena Khanam.
Born on 01.12.1957.

Obtained M.A., LL.B. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 05.03.1984, 27.12.1989 and 06.06.1999 respectively.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.

Participated in the SAARC Law Conference- Delhi, India –1994.

Visited India, Saudi Arabia, Yemen, U.K and Thailand.



Mr. Justice Syed Mohammad Ziaul Karim

Father's name : Late Syed Abdul Malek.
Mother's name : Anowara Begum.
Born on 12.12.1957.

Obtained LL.M., Ph.D. Enrolled as an Advocate in the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 18.03.1986, 18.04.1988 and 28.11.1996 respectively.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.

Participated in the SAARC Lawyer's Conference held in Srilanka in the year 1998.

Visited Bhutan, India, Nepal, Srilanka, Thailand, Indonesia, Hong Kong, China, Macao, Singapore, Saudi Arabia, Malaysia, Myanmar.



Mr. Justice Md. Rezaul Haque

Father's name : Late Md. Tazimul Hossain.
Mother's name : Mrs. Umme Kulsum Hossain.
Born on 24.04.1960.

Obtained M.A, LL.B. Enrolled as an Advocate of the District Court and High Court Division of Bangladesh Supreme Court on 08.04.1988 and 21.06.1990 respectively.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.

Visited India, Nepal and Thailand.



Mr. Justice Sheikh Abdul Awal

Father's name : Sheikh Yousuff Ali.
Mother's name : Late Saleha Begum.
Born on 04.06.1960.

Obtained M.A., M.S.S., LL.B. Enrolled as an Advocate of the District Court and the High Court Division of Bangladesh Supreme Court on 30.10.1986 and 26.02.1989 respectively.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.



Mr. Justice S.M. Emdadul Hoque

Father's name : Mohammad Moslem Uddin Sarder.
Mother's name : Late Zobayda Akter.
Born on 07.11.1963.

Obtained LL.B (Hons), LL.M. Enrolled as an Advocate of the District Court and the High Court Division of Bangladesh Supreme Court on 07.10.1990 and 26.11.1992 respectively.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.



Mr. Justice Mamnoon Rahman

Father's name : Late Advocate Rezaur Rahman.
Mother's name : Late Afsari Rahman.
Born on 09.12.1965.

Obtained LL.B (Hons) and LL.M from Dhaka University.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 26.11.1989, 29.05.1990 and 25.10.2001 respectively.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.

Participated in the 21st Study Session on International Law held at Strasbourg, France in 1990, the International Conference on Business Law held at New Delhi, India in 1997 and the South East Asian Supreme Court Judges Conference held in 2007 at Kolkata, India.



Madame Justice Farah Mahbub

Father's name : Mahbubur Rahman.
Mother's name : Mrs. Feroja Mahbub.
Born on 27.05.1966.

Obtained LL.B (Hons.), LL.M. from University of Dhaka.

Enrolled as Advocate of the District Court, the High Court Division and the Appellate Division on of Bangladesh Supreme Court 15.09.1992, 09.04.1994 and 15.05.2002 respectively.

Elevated as Additional Judge of the High Court Division on 23.08.2004 and appointed Judge of the same Division on 23.08.2006.

Visited India, Pakistan, Thailand, Malaysia, Dubai, Germany and Saudi Arabia.



Mr. Justice Md. Azizul Haque

Father's name : Late Alhaj Yar Mohmmad Mia.
Mother's name : Late Mst. Anwara Begum.
Born on 01.11.1953.

Obtained B.Sc, LL.B. Joined the Judicial Service on 09.12.1981 and promoted as District and Sessions Judge on 10.07.1997.

Elevated as Additional Judge of the High Court Division on 16.11.2008.



Mr. Justice Md. Delwar Hossain

Father's name : Md. Shahidul Hussain.
Mother's name : Late Delwara Begum.
Born on 20.01.1949.

Obtained M.Com., LL.B. Enrolled as an Advocate in the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 01.03.1976, 12.12.1978 and 20.08.1995 respectively.

Elevated as Additional Judge of the High Court Division on 16.11.2008.

Visited India.



Mr. Justice Md. Abdus Samad

Father's name : Late Abul Hossain Sarker.
Mother's name : Most. Sakhina Begum.
Born on 31.12.1953.

Obtained B.A. (Hons) M.A. (Eco), LL.B. Enrolled as Advocate of the Pabna District Court.

Joined the Judicial Service as Munsif on 23.04.1980 and promoted as District and Sessions Judge on 01.03.1997.

Elevated as Additional Judge of the High Court Division on 16.11.2008.



Mr. Justice A.K.M. Abdul Hakim

Father's name : Late Al-Haj Abdul Hamid.
Mother's name : Late Roushan- Ara- Begum.
Born on 19.12.1954.

Obtained LL.B (Hons) LL.M from University of Dhaka.

Enrolled as Advocate in the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 05.04.1979, 27.08.1981 and 06.06.1999 respectively.

Elevated as Additional Judge of the High Court Division on 16.11.2008.



Madame Justice Syeda Afsar Jahan

Father's name : Late Abu Bakr.
Mother's name : Mrs. Mushuda Bakr.
Born on 17.02.1956.

Obtained LL.B (Hons), LL.M from University of Dhaka.

Enrolled as an Advocate in the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 20.08.1981, 24.05.1984 and 16.07.2000 respectively.

Elevated as Additional Judge of the High Court Division on 16.11.2008.



Mr. Justice Borhanuddin

Father's name : Abdus Sabur.
Mother's name : Momtaz Sabur.
Born on 28.02.1957.

Obtained LL.B degree from University of Chittagong

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in the year 1985, 1988 and 2002 respectively.

Elevated as Additional Judge of the High Court Division on 16.11.2008.



Retired Judges of the High Court Division

Mr. Justice A.K. Badrul Huq

Born in 26.09.1941

Elevated as Additional Judge of the High Court Division on 01.06.1996 and appointed Judge of the same division on 31.05.1998. Held office till 02.03.2008.



Mr. Justice Md. Ali Asgar Khan

Born in 13.01.1941

Elevated as Additional Judge of the High Court Division on 24.02.1997 and appointed Judge of the same division on 22.02.1999 . Retired on 13.01.2008.



Mr. Justice Md. Awwad Ali

Born in 27.01.1941.

Elevated as Additional Judge of the High Court Division on 24.02.1997 and appointed Judge of the same division on 22.02.1999 . Retired on 27.01.2008.



Activities of the Supreme Court of Bangladesh, 2008

1. Judicial Activities:

The Supreme Court of Bangladesh has established its computerized sections for processing the cases. Institution of cases takes place at the filing counter with the support of computerized system. As the Advocates or parties in person tender the cases on the counters, the data-entry-operators enter the preliminary details of the cases into the computer, such as names of the parties, Advocates' details etc. required for the purpose of registration. This process will make the information regarding filing of cases, Court fees, formal defects and limitation thereof automatically. This also will provide the filing information and the like to the parties on the Internet.

There are two different cause lists for the Appellate Division and the High Court Division. The daily cause list for the Appellate Division is issued on its own arrangement day before date fixed. But the daily cause list for the High Court Division is now printed from the Bangladesh Government Printing Press and published by the Supreme Court on the current business day morning.

Since the year 2000, the backlog of cases had increased alarmingly in the Appellate Division. Various steps were taken to address the huge pendency of cases during the subsequent years. Initiatives are now being taken to reduce the backlog. As a result, the rate of disposal has increased considerably.

2. The Court Management:

The Court Management evolved keeping in view the formulation of strategies, statistical data analysis, causes of delay and case flow management. Various general and special techniques and approaches were adopted to improve the court efficiency resulting in the reduction of pending cases in the Appellate Division and increase the rate of disposal of cases in the High Court Division.

For the purpose of easy and speedy disposal of cases in the High Court Division, Hon'ble Chief Justice of Bangladesh constituted as many Benches as possible in the year 2008. Hon'ble Chief Justice constituted Vacation Benches in both the divisions for hearing the urgent matters. A large number of cases were heard and disposed of by the Vacation Benches. Necessary steps were taken for the disposal of old cases and cases of public importance within the shortest possible time.

3. Supervision and control over the Subordinate Courts:

As part of its supervisory power over the Subordinate Judiciary, the Hon'ble Chief Justice and his companion Judges of the Supreme Court paid several visits to different courts of the country. In the year 2008, 19 Hon'ble Judges of the High Court Division inspected 43 District and Session Judges' Courts and other Courts attached thereto, 1 Metropolitan Sessions Court, 18 Nari-O-Shisu Nirjatan Daman Tribunals, 3 Courts of Divisional Special Judges, 12 Courts of Special Judges and 1 Paribesh Adalat. Inspecting Judges submitted their respective reports to the Hon'ble Chief Justice in due course. Defects found are being removed and administrative measures taken.

4. Other Activities:

- (a) A large number of law books were procured for the libraries of both the divisions of the Supreme Court.
- (b) 72 computers were received from the Legal and Judicial Capacity Building Project for the Courts for initiating computerization and automation in the Court system.
- (c) Local Area Network (LAN) set-up was in progress in all the Courts, Chambers of the Judges and sections and Internet facilities were provided. We have installed 275 computers which are in use in various Courts, Chambers of the Judges and sections, although we have facility of data communication within 340 computers in the Supreme Court.
- (d) The Supreme Court completed its domain registration, designed its Website in the name www.supremecourt.gov.bd and activated its own Internet Mail Service.
- (e) High-powered Computer Server Room including five servers is in progress to keep and maintain important information and data of the Court.

5. Lowazima Court (Registrar's Court):

The Lowazima Court deals with wanting matters daily. In matters listed before the Lowazima Court, the Advocates for the appellant/petitioner/respondent or parties in person are required to take necessary steps to meet the wanting matters.

In consequence of the above steps, the Supreme Court disposed of a considerable number of cases in the year 2008, despite the low judge-case ratio. In the Appellate Division, the total disposal of cases in the year 2008 was 5220 and in the High Court Division, the total disposal of cases in the year 2008 was 21664.

6. Statistics on the Institution, Disposal and Pendency of cases in the Appellate Division of the Supreme Court

6.1. Statement showing institution, disposal & pendency of cases (from 01.01.2008 to 31.12.2008)

6.1.1. Petitions

Description	Opening Balance	Institution	Total	Disposed of	Balance as on 31.12.2008
Civil	4169	2394	6563	3706	2857
Criminal	952	705	1657	862	795
Civil Review	95	175	270	180	90
Criminal Review	5	30	35	29	6
Jail Petition	36	20	56	9	47
Total	5257	3324	8581	4786	3795

6.1.2. Misc. Petitions

Description	Opening Balance	Institution	Total	Disposed of	Balance as on 31.12.2008
Civil Misc. Petition	341	936	1277	174	1103
Criminal Misc. Petition	58	391	449	90	359
Total	399	1327	1726	264	1462

6.1.3. Appeals

Description	Opening Balance	Institution	Total	Disposed of	Balance as on 31.12.2008
Civil	1182	326	1508	139	1369
Criminal	225	58	283	30	253
Jail	8	6	14	1	13
Total	1415	390	1805	170	1635

6.1.4. Consolidated statement for all cases from 01.01.2008 to 31.12.2008 in the Appellate Division of the Supreme Court

Cases	Opening Balance	Institution	Total	Disposed of	Current Pendency	Remarks
Petitions	5257	3324	8581	4786	3795	Decreased by 1462
Misc. Petitions	399	1327	1726	264	1462	Increased by 1063
Appeals	1415	390	1805	170	1635	Increased by 220
Grand Total	7071	5041	12112	5220	6892	Decreased by 179

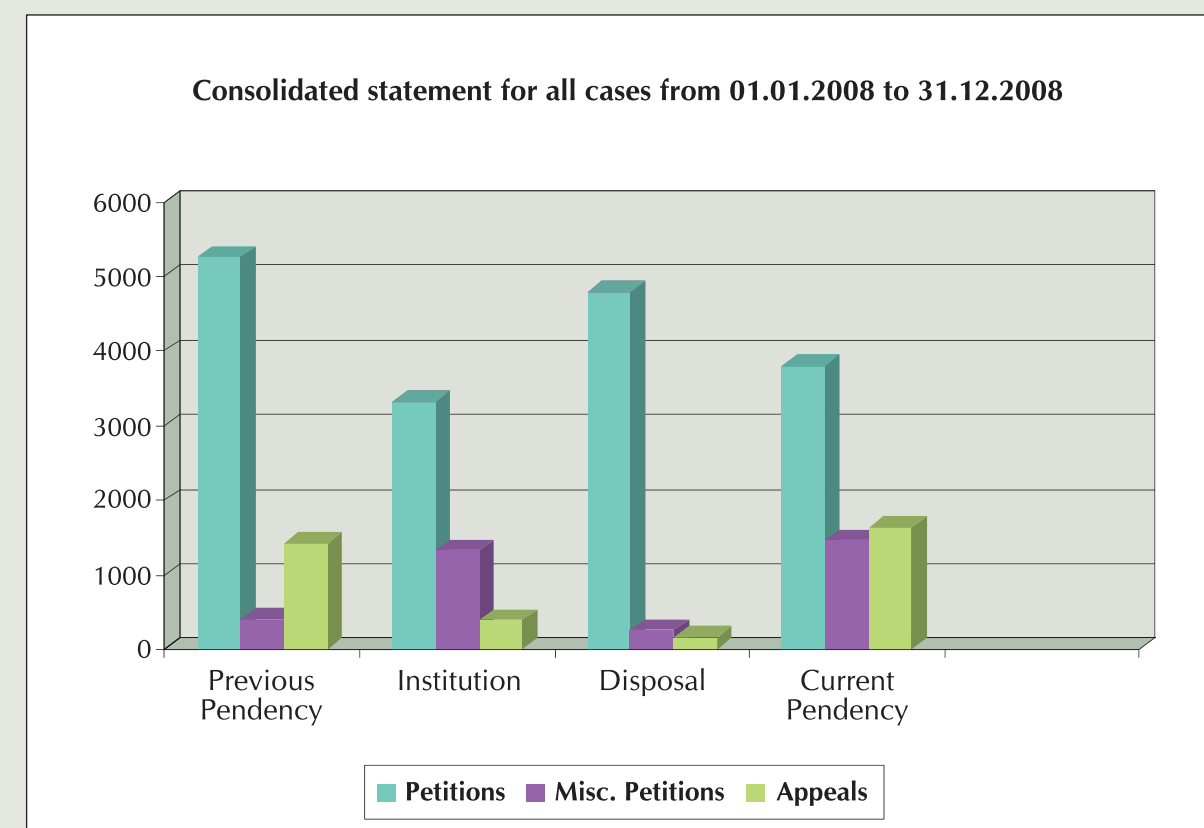


Figure 1: Vertical Bar Chart of Pendency, Institution and Disposal of all cases in the year 2008 in the Appellate Division.



6.2. Statistical Data Analysis for the Appellate Division of the Supreme Court

6.2.1. Year wise Institution, disposal and Pendency of all cases from 1972 to 2008

Years	Institution	Disposed of	Pending
1972	14	11	4056
1973	113	91	4062
1974	185	153	4094
1975	168	150	4112
1976	257	224	4145
1977	471	386	4230
1978	530	400	4360
1979	540	400	4535
1980	454	372	4790
1981	683	583	4870
1982	723	596	4909
1983	663	565	4875
1984	635	565	4802
1985	531	469	4706
1986	492	444	4736
1987	373	334	5064
1988	474	424	5255
1989	662	597	5214
1990	625	575	5440
1991	556	497	5802
1992	801	709	6254
1993	859	765	6462
1994	1161	1070	6433
1995	973	850	7511
1996	1041	970	8410
1997	1928	1746	8751
1998	1869	1649	9330
1999	1987	1918	10929
2000	2228	2116	11816
2001	3517	2819	8997
2002	3003	2789	4781
2003	3212	2587	5406
2004	3021	2690	5737
2005	3405	2372	6770
2006	3855	1501	9124
2007	4093	6146	7071
2008	5041	5220	6892

6.3. Some visible Trends

6.3.1. Institution, disposal and pendency (1972 to 2008)

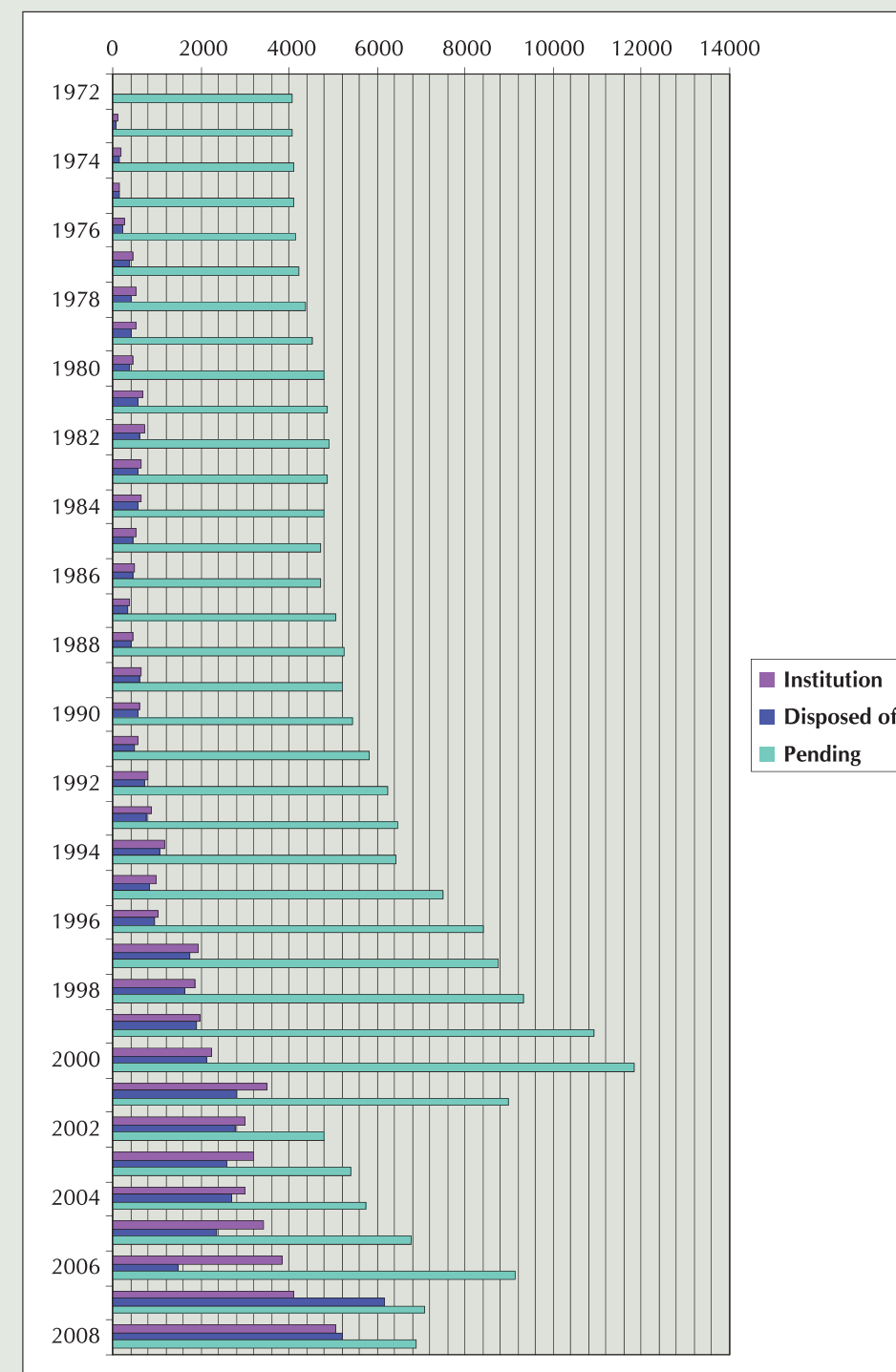


Figure 2: Horizontal Bar Chart of institution, disposal and pending cases in the Appellate Division of the Supreme Court from the year 1972 to 2008.

6.3.2. Trend of pending cases from the years 1972 to 2008

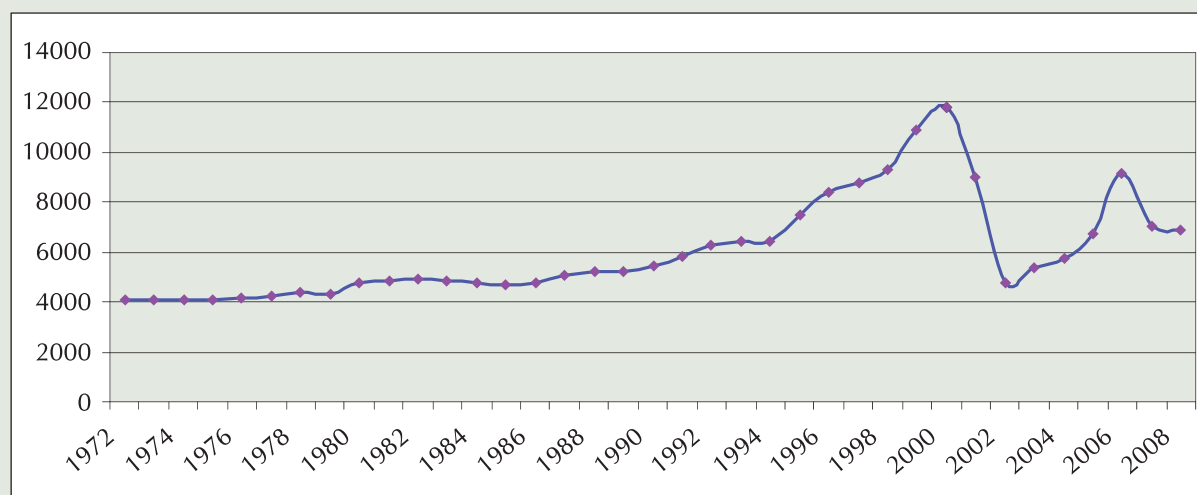


Figure 3: Line graph of pending cases from the years 1972 to 2008

In the year 2008, the pending balance went down slightly due to more disposal than institution of cases in the year 2008.

6.3.3. Trend of institution of cases from the years 1972 to 2008

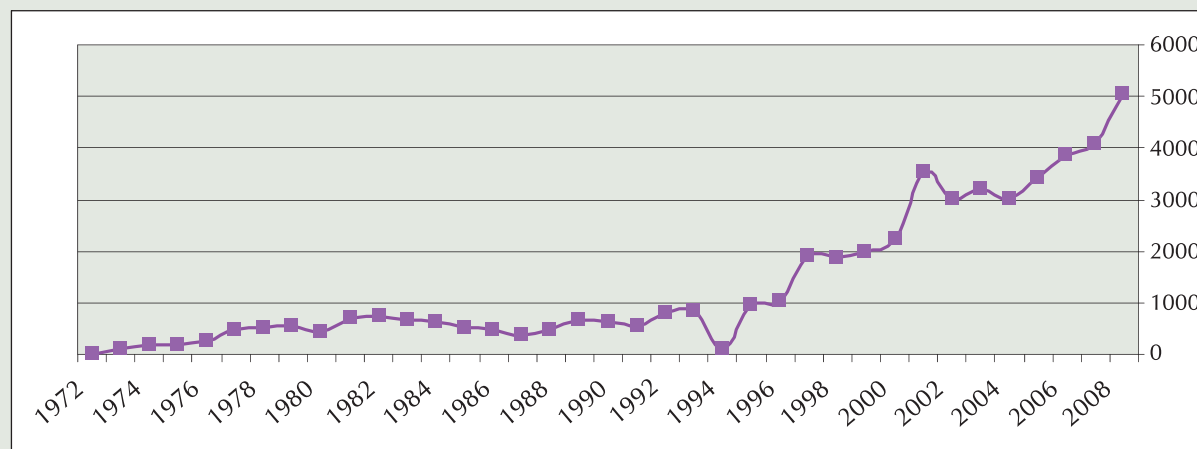


Figure 4: Line graph of Institution of cases from the years 1972 to 2008

The institution of cases continued to go up over the last five years and it rose over remarkably in the year 2008.

6.3.4. Trend of disposal of cases from the years 1972 to 2008

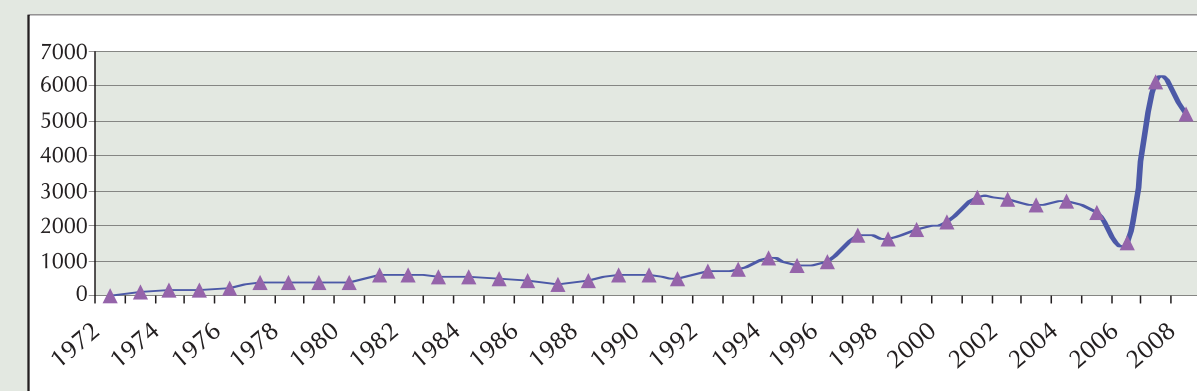


Figure 5: Line graph of disposal of cases from the years 1972 to 2008

The disposal of cases continued to decrease from the year 2004 to 2006 whereas it rose over from 2007 and 2008.

6.3.5. Comparative Chart of institution, disposal and pending cases from the years 1972 to 2008

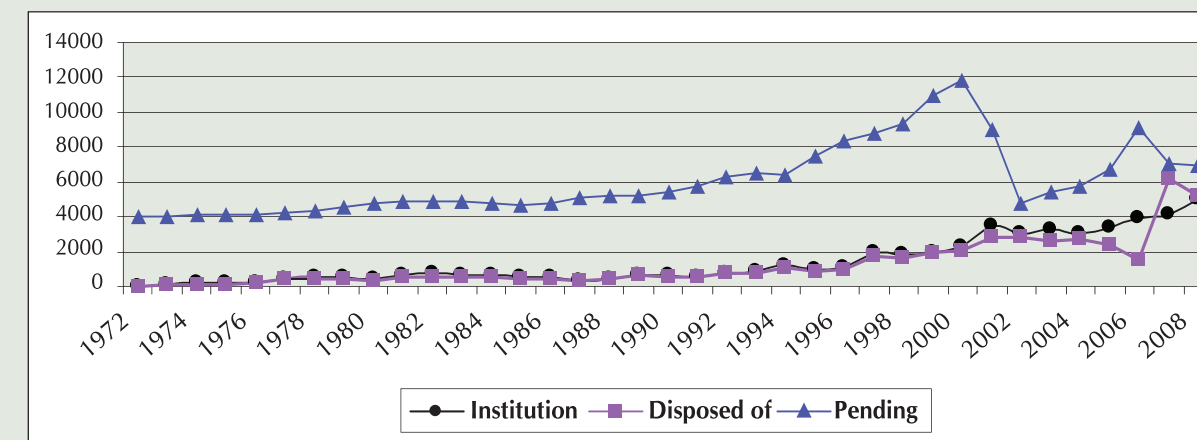


Figure 6: Line graph of pending, disposal & institution of cases from the years 1972 to 2008

The pending balance of cases in the year 2008 decreased slightly whereas the institution increased remarkably.

6.4. Analysis of the Pending balance for the Appellate Division in the year 2008

To understand the balance of pending cases, the following tables may be examined. The pending balance for all cases for the year 2008 is 6892, while the pending balance for petitions is 3795, that for all Misc. petitions is 1462 and appeals is 1635.

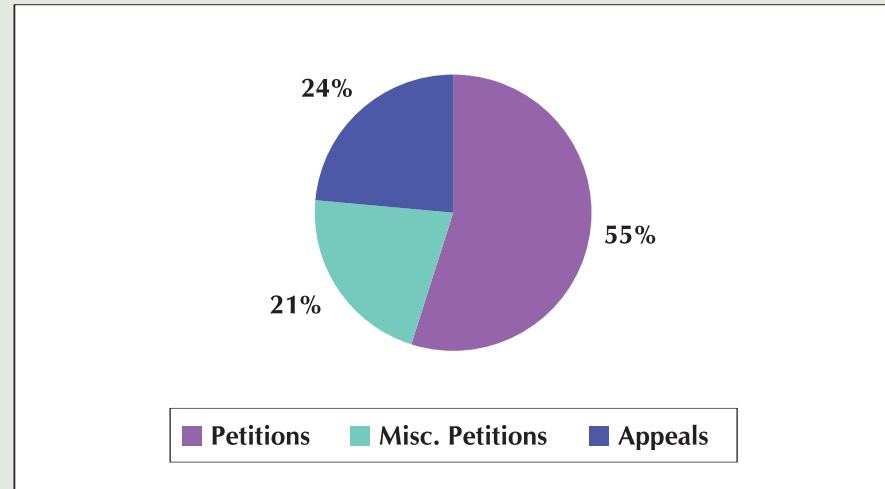


Figure 7: Pie Chart of all pending cases in the Appellate Division in the year 2008

Petitions and Misc. petitions from 76% of all the balance of all pending cases.

6.4.1. Pending Petitions

Opening Balance	Institution	Total	Disposed of	Pending for Disposal
5257	3324	8581	4786	3795

The pending Balance of 3795 petitions is 55% of all pending cases.

6.4.2. Pending Misc. Petitions

Opening Balance	Institution	Total	Disposed of	Pending for Disposal
399	1327	1726	264	1462

The pending Balance of 1462 Misc. petitions is 21% of all pending cases.

6.4.3. Appeals

Opening Balance	Institution	Total	Disposed of	Pending for Disposal
1415	390	1805	170	1635

The pending Balance of 1635 Appeals is 24% of all pending cases.

6.5. Data for the last 37 years : increase the institution, disposal and pendency of cases in the Appellate Division of the Supreme Court of Bangladesh.

6.5.1. Institution, disposal and pendency of cases in the Appellate Division of the Supreme Court of Bangladesh from 1972 to 31-12-2008.

6.5.1.1. Petitions

Year	Last balance	Fresh institution	Total	Disposed of	Pending
1972	2284	0	2284	0	2284
1973	2284	88	2372	72	2300
1974	2300	106	2406	98	2308
1975	2308	141	2449	135	2314
1976	2314	214	2528	195	2333
1977	2333	329	2662	297	2365
1978	2365	360	2725	325	2400
1979	2400	348	2748	315	2518
1980	2518	310	2828	289	2711
1981	2711	433	3144	410	2741
1982	2741	482	3223	420	2768
1983	2768	440	3208	425	2696
1984	2696	447	3143	427	2624
1985	2624	353	2977	325	2570
1986	2570	355	2925	335	2560
1987	2560	271	2831	253	2783
1988	2783	325	3108	306	2865
1989	2865	476	3341	443	2794
1990	2794	388	3182	365	2983
1991	2983	372	3355	352	3187
1992	3187	554	3741	515	3498
1993	3498	556	4054	495	3674
1994	3672	826	4498	793	3601
1995	3601	671	4272	598	4225
1996	4225	720	4945	689	4819
1997	4819	1222	6041	1102	5096
1998	5096	1283	6379	1147	5288
1999	5288	1279	6567	1265	6235
2000	6235	1339	7574	1296	6872
2001	6872	2212	9084	1583	5289
2002	5289	1933	7222	1833	2704
2003	2704	2098	4802	1778	3024
2004	3024	2154	5178	1741	3437
2005	3437	2345	5782	1651	4131
2006	4131	2435	6566	1070	5496
2007	5496	2743	8239	2982	5257
2008	5257	3324	8581	4786	3795

6.5.1.2. Misc. Petitions

Year	Last balance	Fresh institution	Total	Disposed of	Pending
1972	1392	0	1392	0	1392
1973	1392	0	1392	0	1392
1974	1392	0	1392	0	1392
1975	1392	0	1392	0	1392
1976	1392	0	1392	0	1392
1977	1392	0	1392	0	1392
1978	1392	0	1392	0	1392
1979	1392	0	1392	0	1392
1980	1392	0	1392	0	1392
1981	1392	108	1500	95	1348
1982	1348	96	1444	85	1318
1983	1318	51	1369	48	1339
1984	1339	55	1394	45	1361
1985	1361	69	1430	58	1367
1986	1367	67	1434	56	1416
1987	1416	64	1480	52	1463
1988	1463	105	1568	87	1503
1989	1503	99	1602	89	1541
1990	1541	137	1678	125	1581
1991	1581	127	1708	102	1685
1992	1685	165	1850	132	1791
1993	1791	206	1997	192	1838
1994	1838	238	2076	208	1892
1995	1892	239	2131	205	2260
1996	2260	262	2522	242	2464
1997	2464	573	3037	555	2495
1998	2495	446	2941	407	2731
1999	2731	586	3317	545	2895
2000	2895	643	3538	610	2988
2001	2988	709	3697	695	2293
2002	2293	703	2996	687	699
2003	699	654	1353	639	714
2004	714	600	1314	727	587
2005	587	776	1363	503	860
2006	860	1199	2059	187	1872
2007	1872	1039	2911	2512	399
2008	399	1327	1726	264	1462

6.5.1.3. Appeals

Year	Last balance	Fresh institution	Total	Disposed of	Pending
1972	361	14	375	11	364
1973	364	25	389	19	370
1974	370	79	449	55	394
1975	394	27	421	15	406
1976	406	43	449	29	420
1977	420	142	562	89	473
1978	473	170	643	75	568
1979	568	192	760	85	625
1980	625	144	769	83	687
1981	687	142	829	78	781
1982	781	145	926	91	823
1983	823	172	995	92	840
1984	840	133	973	93	817
1985	817	109	926	86	769
1986	769	70	839	53	760
1987	760	38	798	29	818
1988	818	44	862	31	887
1989	887	87	974	65	879
1990	879	100	979	85	876
1991	876	57	933	43	930
1992	930	82	1012	62	965
1993	965	97	1062	78	950
1994	950	97	1047	69	940
1995	940	63	1003	47	1026
1996	1026	59	1085	39	1127
1997	1127	133	1260	89	1160
1998	1160	140	1300	95	1311
1999	1311	122	1433	108	1799
2000	1799	246	2045	210	1956
2001	1956	596	2552	541	1415
2002	1415	367	1782	269	1378
2003	1378	460	1838	170	1668
2004	1668	267	1935	222	1713
2005	1713	284	1997	218	1779
2006	1779	221	2000	244	1756
2007	1756	311	2067	652	1415
2008	1415	390	1805	170	1635

6.6. Increase in the number of Judges in the Appellate Division from the year 1972 to 2008.

Period	Judges including Chief Justice
1972	3
1973	4
1974	5
1975	5
1976	5
1977	5
1978	4
1979	5
1980	5
1981	5
1982	5
1983	5
1984	5
1985	4
1986	5
1987	5
1988	5
1989	5
1990	5
1991	5
1992	5
1993	5
1994	5
1995	4
1996	5
1997	5
1998	5
1999	6
2000	5
2001	5
2002	5
2003	7
2004	8
2005	7
2006	7
2007	6
2008	7

7. Statistics on the Institution and Disposal of Cases in the High Court Division of the Supreme Court

7.1 Statement showing institution, disposal & pendency of cases (from 01.01.2008 to 31.12.2008)

7.1.1. Statement for all cases from 01.01.2008 to 31.12.2008 in the High Court Division of the Supreme Court

Cases	Opening Balance	Institution	Total	Disposed of	Current Pendency	Remarks
Civil	74656	6257	80913	5275	75638	Increased by 982
Criminal	142950	34492	177442	7071	170371	Increased by 27421
Writ	40980	11589	52569	8915	43654	Increased by 2674
Original	3759	882	4641	403	4238	Increased by 479
Grand Total	262345	53220	315565	21664	293901	Increased by 31556

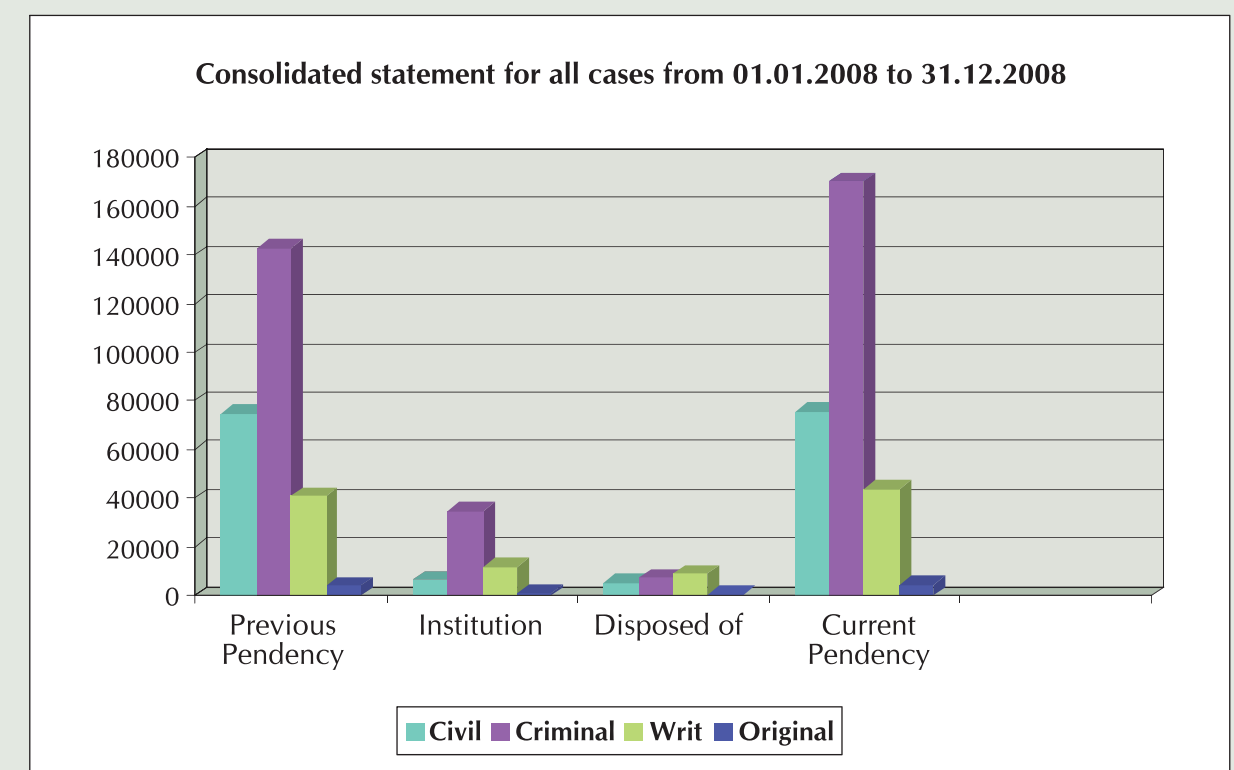


Figure 8: Vertical Bar Chart of Pendency, Institution and disposal of all cases in the year 2008 in the High Court Division of the Supreme Court



7.2. Statistical data analysis for the High Court Division of the Supreme Court

7.2.1. Year wise Institution, disposal and Pendency of all cases from 1972 to 2008

Years	Institution	Disposed of	Pending
1972	2461	3873	20567
1973	5654	3657	24063
1974	8844	6402	28186
1975	4896	5190	29545
1976	4515	7241	28287
1977	5656	8195	26676
1978	5765	7309	26620
1979	5145	7597	24716
1980	4026	7032	22779
1981	5054	6950	21652
1982	919	3615	21061
1983	1550	5456	19115
1984	1891	3556	21159
1985	2960	3529	22460
1986	3558	3360	24468
1987	5187	3272	28810
1988	8220	3564	33289
1989	11381	6099	37739
1990	11583	9789	39261
1991	12809	5565	45681
1992	14098	6543	51764
1993	13775	7799	57749
1994	15061	8401	64281
1995	17326	10844	70990
1996	21045	11526	79457
1997	23838	12337	88388
1998	23909	13744	97574
1999	24143	11863	108323
2000	27931	11049	122178
2001	32328	16014	135879
2002	45627	22048	154168
2003	37734	20331	168447
2004	34217	15581	184811
2005	42900	16894	208389
2006	48056	13839	240483
2007	47555	16578	262345
2008	53220	21664	293901

7.3. Some visible Trends

7.3.1. Institution, disposal and pendency (1972 to 2008)

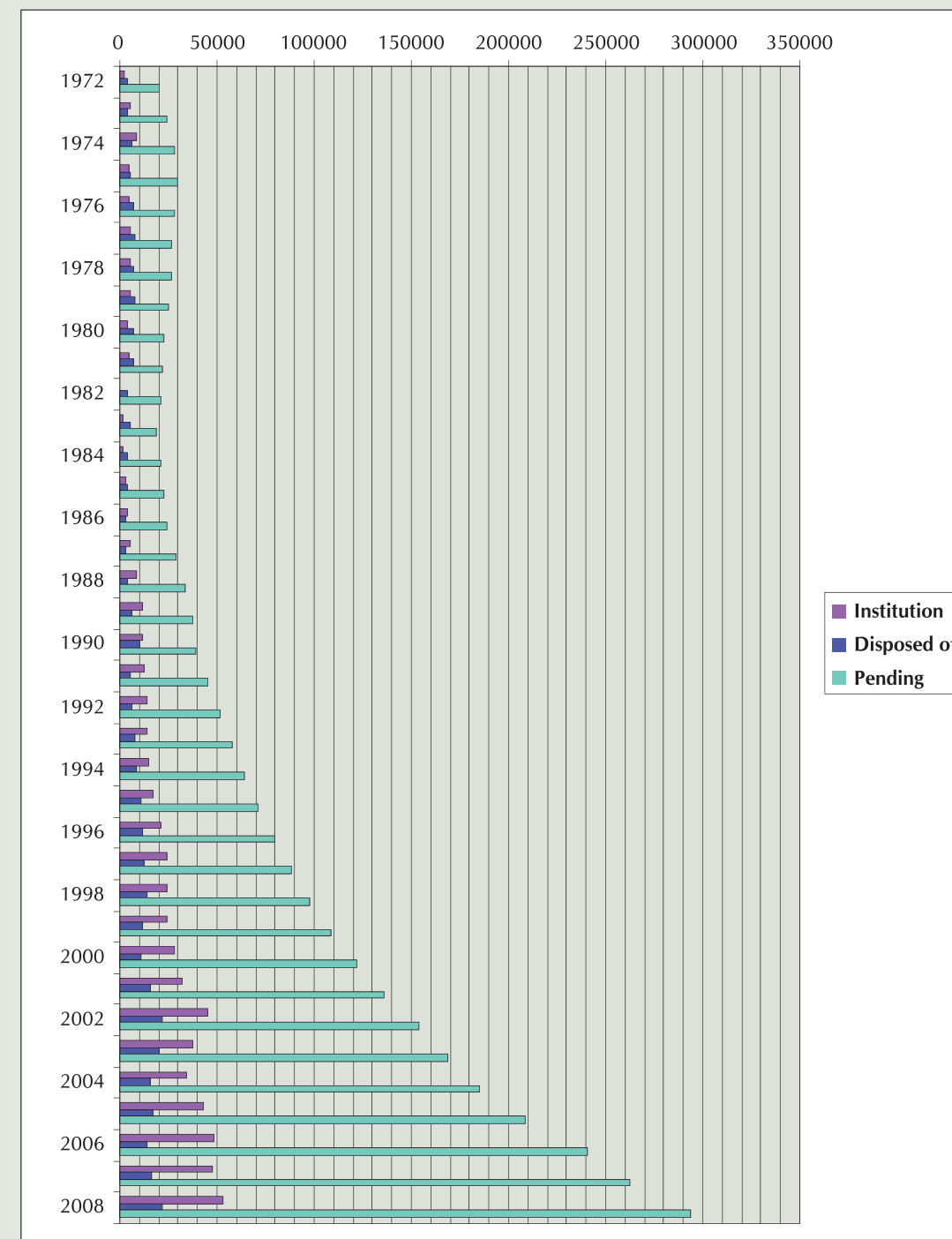


Figure 9: Horizontal Bar Chart of institution, disposal and pending cases in the High Court Division of the Supreme Court from the year 1972 to 2008.

7.3.2. Trend of institution of cases from the year 1972 to 2008

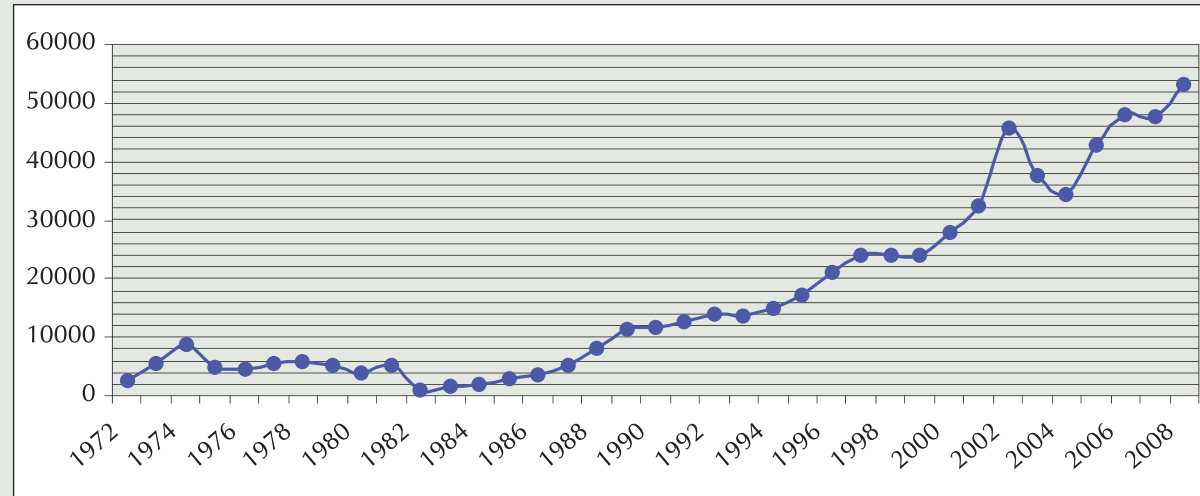


Figure 10: Line graph of Institution of cases from the year 1972 to 2008.

The institution of cases increased remarkably in the year 2008 whereas the institution of cases went down in the year 2007.

7.3.3. Trend of disposal of cases from the year 1972 to 2008

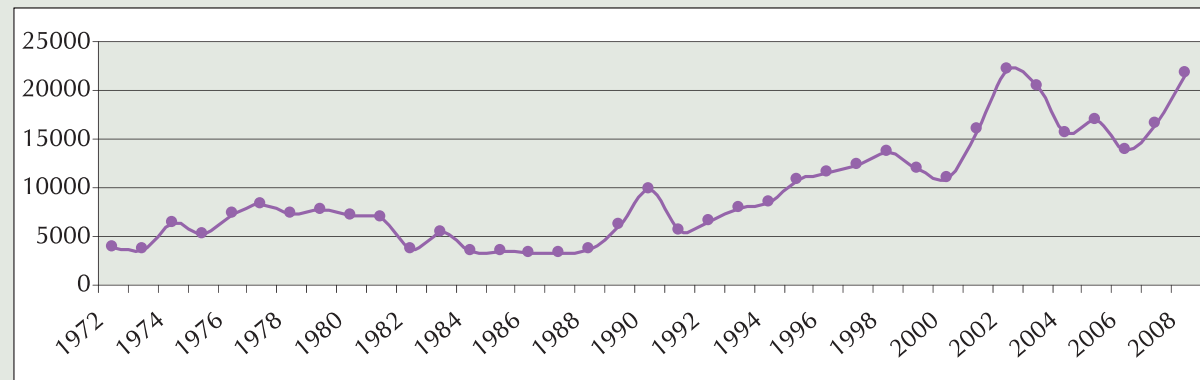


Figure 11: Line graph of disposal of cases from the year 1972 to 2008.

The disposal of cases continued to decrease from the year 2004 to 2006 whereas it rose over from 2007 and increased remarkably in the year 2008.

7.3.4. Trend of pending cases from the year 1972 to 2008

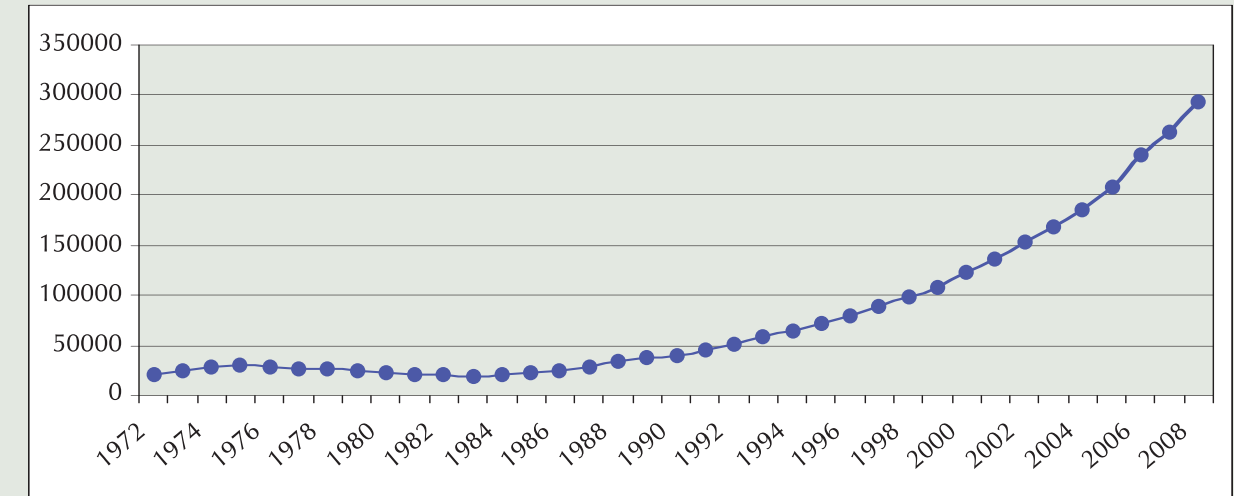


Figure 12: Line graph of pending cases from the year 1972 to 2008.

In the year 2008 the pending balance has increased remarkably due to high rate of institution of cases.

7.3.5. Comparative Chart of institution, disposal and pending cases from the year 1972 to 2008

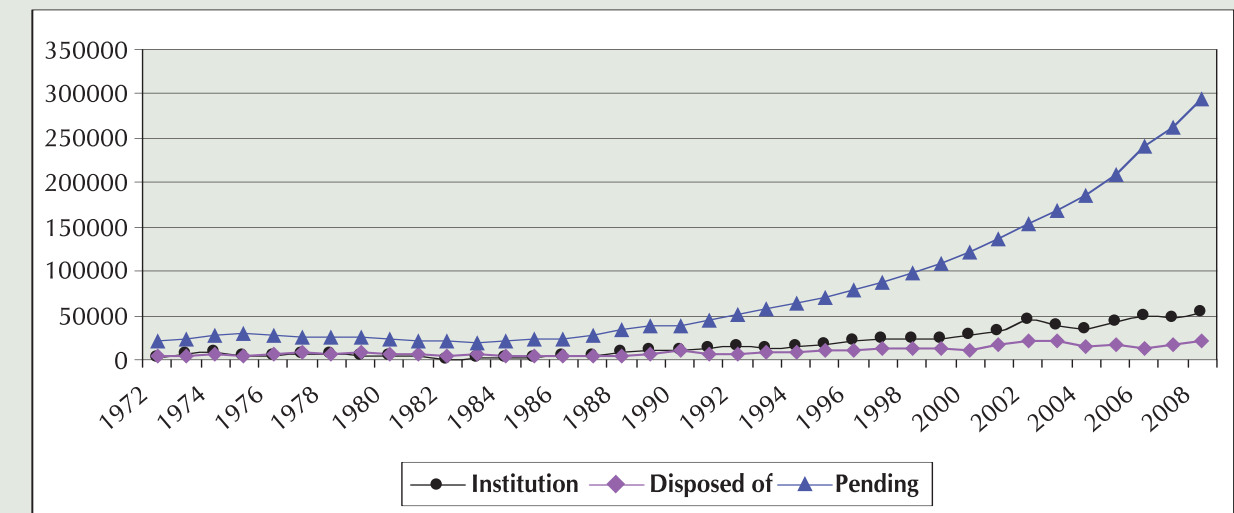


Figure 13: Line graph of pending, disposal & institution of cases from the year 1972 to 2008.

The pending balance and institution of cases the in the year 2008 increased though the disposal of cases increased remarkably.

7.4. Analysis of the pending balance for the High Court Division

To understand the balance of pending cases, the following tables may be examined. The pending balance for all cases for the year 2008 is 293901, while the pending balance for Civil Cases is 75638, that for Criminal is 170371, Writ is 43654 and Original Cases is 4238.

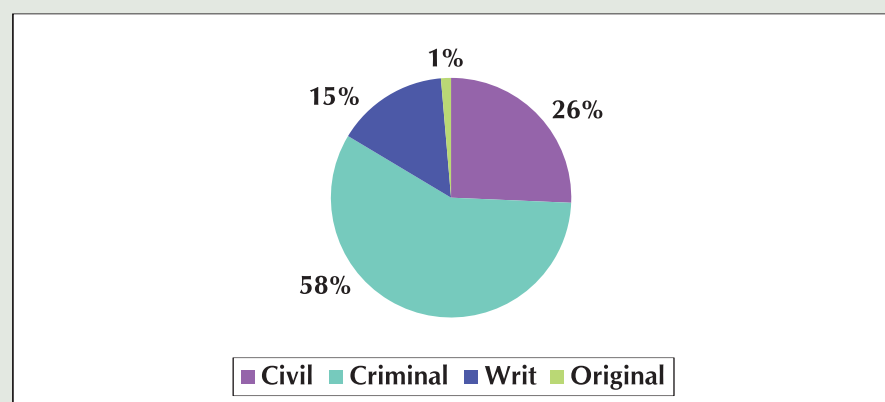


Figure 7: Pie Chart of all pending cases in the High Court Division in the year 2008.

There are 58% Criminal cases, 26% Civil cases, of all the balance of all pending cases. Whereas only 16% Writ and Original cases of all the balance of all pending cases.

7.4.1. Pending Civil

Opening Balance	Institution	Total	Disposed of	Pending for Disposal
74656	6257	80913	5275	75638

The pending Balance of 75638 civil cases is 26% of all pending cases.

7.4.2. Pending Criminal

Opening Balance	Institution	Total	Disposed of	Pending for Disposal
142950	34492	177442	7071	170371

The pending Balance of 170371 Criminal is 58% of all pending cases.

7.4.3. Writ

Opening Balance	Institution	Total	Disposed of	Pending for Disposal
40980	11589	52569	8915	43654

The pending Balance of 43654 writ is 15% of all pending cases.

7.4.4. Original

Opening Balance	Institution	Total	Disposed of	Pending for Disposal
3759	882	4641	403	4238

The pending Balance of 4238 Original Cases is 1% of all pending cases.

7.5. Data for the last 37 years : increase in institution, disposal and pendency of cases in the High Court Division

7.5.1. Institution, disposal and pendency of cases in the High Court Division of from 1972 to 31-12-2008.

7.5.1.1. Civil

Year	Last balance	Fresh institution	Total	Disposed of	Pending
1972	15517	1615	17132	752	16380
1973	16380	2771	19151	798	18353
1974	18353	3884	22237	3498	18739
1975	18739	2593	21332	1955	19377
1976	19377	2775	22152	2323	19829
1977	19829	2652	22481	3933	18548
1978	18548	2769	21317	3550	17767
1979	17767	2391	20158	3391	16767
1980	16767	1268	18035	2755	15280
1981	15280	2656	17936	3819	14117
1982	14117	489	14606	783	13823
1983	13823	667	14490	2325	12165
1984	13823	1044	14867	864	14003
1985	14003	1359	15362	873	14489
1986	14489	1534	16023	606	15417
1987	15417	2750	18167	750	17417
1988	17417	1575	18992	998	17994
1989	17994	4284	22278	2467	19811
1990	19811	4595	24406	4033	20373
1991	20373	4595	24968	2033	22935
1992	22935	4435	27370	2289	25081
1993	25081	5017	30098	2850	27248
1994	27248	5884	33132	3935	29197
1995	29197	6440	35637	3137	32500
1996	32500	5942	38442	3340	35102
1997	35102	6839	41941	5078	36863
1998	36863	7540	44403	4314	40089
1999	40089	7589	47678	3428	44250
2000	44250	8565	52815	2384	50431
2001	50431	9348	59779	4185	55594
2002	55594	9020	64614	6400	58214
2003	58214	7447	65661	4656	61005
2004	61005	7908	68913	3801	65112
2005	65112	7253	72365	3723	68642
2006	68642	6867	75509	3693	71816
2007	71816	7721	79537	4881	74656
2008	74656	6257	80913	5275	75638

7.5.1.2. Criminal

Year	Last balance	Fresh institution	Total	Disposed of	Pending
1972	3391	544	3935	1016	2919
1973	2919	1964	4883	784	4099
1974	4099	3349	7448	826	6622
1975	6622	1767	8389	1041	7348
1976	7348	1093	8441	2720	5721
1977	5721	1876	7597	2051	5546
1978	5546	1881	7427	1678	5749
1979	5749	1718	7467	2058	5409
1980	5409	1597	7006	2006	5000
1981	5000	1397	6397	1076	5321
1982	5321	320	5641	674	4967
1983	4967	663	5630	985	4645
1984	4645	595	5240	490	4750
1985	4750	748	5498	486	5012
1986	5012	1248	6260	529	5731
1987	5731	1264	6995	371	6624
1988	6624	3950	10574	289	10285
1989	10285	4487	14772	1579	13193
1990	13193	4664	17857	3053	14804
1991	14804	4679	19483	1399	18084
1992	18084	4822	22906	1879	21027
1993	21027	6170	27197	2507	24690
1994	24690	6189	30879	2131	28748
1995	28748	7786	36534	5417	31117
1996	31117	8279	39396	5978	33418
1997	33418	8560	41978	4927	37051
1998	37051	11508	48559	7021	41538
1999	41538	10881	52419	5910	46509
2000	46509	12445	58954	5790	53164
2001	53164	15092	68256	9219	59037
2002	59037	27000	86037	13192	72845
2003	72845	21363	94208	13300	80908
2004	80908	18297	99205	9332	89873
2005	89873	25179	115052	10760	104292
2006	104292	27747	132039	7833	124206
2007	124206	27779	151985	9035	142950
2008	142950	34492	177442	7071	170371

7.5.1.3. Writ

Year	Last balance	Fresh institution	Total	Disposed of	Pending
1972	799	8	807	10	797
1973	797	751	1548	474	1074
1974	1074	1461	2535	293	2242
1975	2242	438	2680	322	2358
1976	2358	538	2896	508	2388
1977	2388	975	3363	1049	2314
1978	2314	1027	3341	490	2851
1979	2851	923	3774	1431	2343
1980	2343	1057	3400	911	2489
1981	2489	899	3388	1220	2168
1982	2168	0	2168	0	2168
1983	2168	0	2168	0	2168
1984	2168	0	2168	0	2168
1985	2168	567	2735	57	2678
1986	2678	494	3172	252	2920
1987	2920	890	3810	102	3708
1988	3708	1745	5453	1560	3893
1989	3893	2490	6383	2361	4022
1990	4022	2015	6037	2917	3120
1991	3120	3142	6262	2567	3695
1992	3695	4455	8150	3356	4794
1993	4794	2244	7038	2097	4941
1994	4941	2639	7580	2174	5406
1995	5406	2745	8151	1830	6321
1996	6321	6490	12811	3042	9769
1997	9769	7988	17757	4539	13218
1998	13218	4362	17580	2958	14622
1999	14622	5078	19700	3162	16538
2000	16538	6345	22883	5349	17534
2001	17534	7256	24790	4614	20176
2002	20176	8782	28958	7292	21666
2003	21666	7722	29388	5127	24261
2004	24261	7192	31453	4276	27177
2005	27177	9628	36805	4433	32372
2006	32372	12693	45065	4129	40936
2007	40936	11166	52102	11122	40980
2008	40980	11589	52569	8915	43654



7.5.1.4. Original

Year	Last balance	Fresh institution	Total	Disposed of	Pending
1972	310	294	604	133	471
1973	471	168	639	102	537
1974	537	150	687	104	583
1975	583	98	681	219	462
1976	462	109	571	222	349
1977	349	153	502	234	268
1978	268	88	356	103	253
1979	253	113	366	169	197
1980	197	104	301	291	10
1981	10	102	120	74	46
1982	46	110	266	176	103
1983	103	220	355	163	137
1984	137	252	423	218	238
1985	238	286	520	185	281
1986	281	282	564	239	400
1987	400	283	1350	164	1061
1988	1061	950	1181	289	1117
1989	1117	120	1426	64	713
1990	713	309	1106	713	964
1991	964	393	1350	142	967
1992	967	386	1311	383	862
1993	862	344	1211	449	870
1994	870	349	1225	341	930
1995	930	355	1264	295	1052
1996	1052	334	1503	212	1168
1997	1168	451	1667	335	1256
1998	1256	499	1851	411	1325
1999	1325	595	1901	526	1026
2000	1026	576	1658	875	1049
2001	1049	632	1681	609	1072
2002	1072	825	1897	454	1443
2003	1443	1202	2645	372	2273
2004	2273	820	3093	444	2649
2005	2649	840	3489	406	3083
2006	3083	749	3832	307	3525
2007	3525	889	4414	655	3759
2008	3759	882	4641	403	4238

7.6. Increase in the number of Judges in the High Court Division from the year 1972 to 2008.

Period	Number of Judges
1972	10
1973	8
1974	12
1975	12
1976	13
1977	18
1978	17
1979	16
1980	19
1981	18
1982	18
1983	18
1984	24
1985	24
1986	21
1987	25
1988	29
1989	29
1990	29
1991	28
1992	25
1993	31
1994	38
1995	35
1996	30
1997	36
1998	36
1999	39
2000	43
2001	48
2002	55
2003	48
2004	54
2005	72
2006	71
2007	68
2008	67

Fragrance and Fragments

Justice A.T.M. Afzal

Former Chief Justice of Bangladesh.

I have always found interest in the 'interesting', –be it law, literature or whatever. Now as I sit back many an imagery of the bygone years cross my mind and I still feel overpowered by their sheer magnificence. I would like to share some of them in this small write-up.

In 1958-59 when I was an article clerk of Mr. A.M. Sayem, Advocate (later on Chief Justice) Martial law was imposed in the then Pakistan by President Iskander Mirza and Field Marshal Mohammad Ayub Khan. It was a copybook Martial law as the Chief of Army Staff took full control of the country. As time went by, we have seen successive Martial law regimes including one headed by a Chief Justice. The immediate past Government claimed itself to be a Care-taker government under the Constitution backed by the military. In the media, however, it was billed as military controlled Care-taker government or Martial law by default. Be that as it may, it is not my purpose to analyze the shades of Martial law but to highlight the wealth of legal literature that developed on the issue of Martial law.

It is well-known that the legal legitimacy of Martial law has been the epicentre of the controversy.

Three outstanding judgments were delivered by three great Chief Justices over a period of time which will be reckoned as locus classicus in the annals of legal history. While in the profession, I immensely enjoyed these decisions and was thrilled by the scholarship of the said Chief Justices.

In the first case, *Dosso Vs. State* (PLD 1958 SC 533) Mohammad Munir, C.J. upheld the Martial law of F.M. Ayub Khan on the doctrine of "revolutionary legality" relying on a passage from a German Jurist Hans Kelsen's book, 'General Theory of Law and State'.

Look at the sweep of Chief Justice Munir's innovation-

"It sometimes happens, however, that a Constitution and the national legal order under it is disrupted by an abrupt political change not within the contemplation of the Constitution. Any such change is called a revolution, and its legal effect is not only the destruction of the existing Constitution but also the validity of the national legal order. A revolution is generally associated with public tumult, mutiny, violence and bloodshed but from a juristic point of view the method by which and the persons by whom a revolution is brought about is wholly immaterial. The change may be attended by violence or it may be perfectly peaceful. It may take the form of the coup d'état by a political adventurer or it may be affected by persons already in public position.

Equally irrelevant in law is the motive for a revolution, inasmuch as destruction of the constitutional structure may be prompted by a highly patriotic impulse or by the most sordid of ends. For the purposes of the doctrine here explained a change is, in law, a revolution if it annuls the Constitution and the annulment is effective. If the attempt to break the Constitution fails those who sponsor or organize it are judged by the existing Constitution as guilty of the crime of treason. But if the revolution is victorious in the sense that the persons assuming power under the change can successfully require the inhabitants of the country to conform to the new regime, then the revolution itself becomes a law-creating fact because, thereafter, its own legality is judged not by reference to the annulled Constitution but by reference of its own success. On the same principle, the validity of the laws to be made thereafter is judged by reference to the new and not

the annulled Constitution. Thus the essential condition to determine whether a Constitution has been annulled is the efficacy of the change. In the circumstances, supposed no new state is brought into existence though Aristotle thought otherwise. If the territory and the people remain substantially the same, there is, under the modern juristic doctrine, no change in the corpus or international entity of the State and the revolutionary government and the new Constitution are, according to international law, the legitimate Government and the valid Constitution of the State. Thus, a victorious revolution or a successful coup d'état is an internationally recognized legal method of changing a Constitution."

Munir's judgment held the field for 14 years but in the case of *Miss Asma Jilani vs. The Government of Punjab* (PLD 1972 SC 139) another great Chief Justice, Hamoodur Rehman turned that decision on its head and called General Agha Muhammad Yahya Khan, who imposed Martial law in 1969, an usurper and in an equally classical judgment held "The principle enunciated in *Dosso's* case, therefore, is wholly unsustainable and it cannot be treated as good law either on the principle of *Stare Decisis* or even otherwise".

Look at the language and learning of Chief Justice Hamoodur Rahman-

"in laying down a novel juristic principle of such far-reaching importance the Chief Justice in the case of *State vs. Dosso* proceeded on the basis of certain assumptions, namely, (i) that the basic doctrines of legal positivism which he was accepting were such firmly and universally accepted doctrines that whole science of modern jurisprudence rested upon them; (ii) that any abrupt political change not within the contemplation of the Constitution constitutes a revolution no matter how temporary or transitory the change if, no one has taken any step to oppose it; and (iii) that the rule of international law with regard to the recognition of states can determine the validity also of the states internal sovereignty....".

"These assumptions were not justified. Kelsen's theory was, by no means, a universally accepted theory nor was it a theory which could claim to have become a basic doctrine of the science of modern jurisprudence, nor did Kelsen ever admit to formulate any theory which favours totalitarianism.... Kelsen was only trying to lay down a pure theory of law as a rule of normative science consisting of an aggregate or system of norms. He was propounding a theory of law as a mere jurist's proposition about law. He was not attempting to lay down any legal norm or norms which are the daily concerns of judges, legal practitioners or administrators....".

"The criticism, therefore, is true that the Chief Justice of the Supreme Court not only misapplied the doctrine of Hans Kelsen but also fell into error in thinking that it was a generally accepted doctrine of modern jurisprudence. Even the disciples of Kelsen have hesitated to go as far as Kelsen had gone ...".

The Martial law imposed by Gen. Mohammad Ziaul Huq in Pakistan in 1977 came up for consideration in the case of *Begum Nusrat Bhutto vs. The Chief of the Army Staff & others* before a 9 members bench of the Supreme Court of Pakistan presided over by Chief Justice S. Anwarul Huq. Giving a new dimension to *Asma Jilani's* case it was held-

"It is clear, therefore, that the conclusion that the act of General Mohammad Yahya Khan amounted to a usurpation of power flows directly from the circumstances obtaining in that case, and is not to be regarded as a general proposition of law to the effect that whenever

power is assumed in an extra-constitutional manner by any authority not mentioned in the Constitution, then it must amount to usurpation in all events. It would obviously be a question for determination in the circumstances of the particular case before the Court as to whether the assumption of power amounts to usurpation or not.

It is also clear from the various judgments delivered in Asma Jilani's case that the question of condonation arose only on the view that the Army Commander-in-Chief was a usurper. The learned Attorney-General is, therefore, right in saying that in a case where extra-constitutional intervention is justified by necessity, then different considerations arise from those which would be relevant for judging the acts of a usurper."

In my life, I have always felt inspired by the excellent manner of writing of those and other great Judges. Also I cannot forget the artistry and excellence of a great man of the Bar, Sher-e-Bangla A.K. Fazlul Huq, who seems to have set himself very late in life to write his autobiography but could leave only a Foreword for his book to be which reads-

"In my stormy and chequered life, chance has played more than her fair part. The fault has been my own. Never at any time have I tried to be the complete master of my own fate. The strongest impulse of the moment has governed all my actions. When chance has raised me to dazzling heights, I have received her gifts with outstretched hands. When she has cast me down from my high pinnacle, I have accepted her buffet without complaint. I have my hours of penance and regret. I am introspective enough to take an interest in the examination of my own conscience. But this self analysis has always been detached. It has never been morbid. It has neither aided nor impeded the fluctuation of my varied career.

It has availed me nothing in the eternal struggle which man wages on behalf of himself against himself. Disappointments have not cured me of an ineradicable romanticism. If at times I am sorry for something I have done, remorse assails me only for the things I have left undone."

Are you looking for eloquence else where?

Mr. Justice A.T.M. Afzal

Born on 01.06.1934.

Elevated as Additional Judge of the High Court Division on 15.04.1977 and appointed Judge of the same division on 14.04.1979. Elevated as judge of the Appellate Division on 26.12.1985 and assumed the Office of the Chief Justice on 01.05.1995. Retired on 01.06.1999.

Leading Decisions of the Supreme Court of Bangladesh in the Year 2008

In view of Article 111 of the Constitution of Peoples Republic of Bangladesh, the law declared by the Appellate Division of the Supreme Court of Bangladesh is binding on all courts within the territory of Bangladesh including High Court Division of the Supreme Court of Bangladesh. Every judgement delivered by the Appellate Division of the Supreme Court of Bangladesh has its own significance. Brief note of some judgements, which have wider implications and impact on various sections of the society, delivered during the preceding year, are given below:

1. In **The State Vs. Moyez Uddin Sikder and others [(2008) 13 MLR (AD) 208, 28 BLD(AD) 135]** the Appellate Division of the Supreme Court of Bangladesh held that regardless of the ouster of the jurisdiction there may be cases depending on the facts of each case making out a case of without jurisdiction, coram non-judice or malafide and finding of the Court to that effect upon final adjudication and determination and then in those cases the bar in Rule 19(Gha) in granting bail under section 498 of the Code of Criminal Procedure will not apply. The said bar will not apply in cases of persons arrested on suspicion under Rule 16(2) of the Emergency Rules, 2007 who are not yet accused within the meaning of Rule 19(Gha) of the Emergency Power Rules. There may be cases provided for under the proviso to Rule 19(Gha) where also the said bar will not apply.
2. In **Government of Bangladesh and others Vs. Iqbal Hasan Mahmood alias Iqbal Hasan Mahmood Tuku. [(2008) 60 DLR (AD) 147]** the Appellate Division of the Supreme Court of Bangladesh held that the contention raised by the learned Attorney-General that the writ petition filed by the respondent challenging the proceeding in the aforesaid special case now pending against him before the Special Judge is not maintainable for not having exhausted the otherwise efficacious alternative remedy by way of a petition under section 561A of the Code of Criminal Procedure is also not acceptable, inasmuch as the instant writ petition has raised question of law and interpretation of statute. Further, the respondent had no other efficacious alternative remedy under the Income Tax Ordinance to challenge the criminal case now pending against him. It is pertinent to point out that a Division Bench of the High Court Division has already held in the case of Jahangir Hossain Howlader 58 DLR 106 that filing of an application under section 561A of the Code of Criminal Procedure is not an adequate alternative remedy as contemplated under Article 102(2) of the Constitution. Further, in the case of MA Hai Vs TCB, 40 DLR(AD) 206 it is held that availability of alternative remedy by way of appeal or revision will not stand on the way when the question of law and interpretation of statute is involved. It is also decided in the case of Nesar Ahmed Vs. Government of Bangladesh 49 DLR (AD) 111 that when it becomes impossible to avail of the alternative remedy, relief by way of writ petition under Article 102 of the Constitution is competent. The instant writ petition is therefore maintainable.
3. In **Government of Bangladesh and another Vs. Sheikh Hasina and another. [(2008) 60 DLR (AD) 90]** the Appellate Division of the Supreme Court of Bangladesh held that a person accused of the commission of an offence has no fundamental rights to a trial by a particular Court or by a particular procedure except insofar as any Constitutional objection by way of discrimination or violation of any other fundamental right may be involved. In other words, the prohibition under this clause does not extend to merely procedural laws and procedural law would not contravene Article 35(1) merely because retrospective effect is given to it.

4. In **Alhaj Hasen Ali Mondal and others Vs. Deputy Commissioner, Chapainawabgonj and others. [(2008) XI BSCD]** the Appellate Division of the Supreme Court of Bangladesh held that as it appears the High Court Division disposed of the Rule with the observations that the proceedings of in L.A. Case No. 04 of 2003-2004 shows that the petitioners filed objection therein against the notices submitting that the amount of compensation as given in the award are not adequate and no objection was raised therein as to specifications and identification of the lands sought to be acquired and that the question of adequate compensation as well as the fact of wrong recording of the name of Hitendranath in the award, instead of the name of the petitioners, can be resolved by the authority concerned. Accordingly we find no illegality or infirmity in the decision of the High Court Division so as to call for any interference.
5. In **Government of Bangladesh and another Vs. Sheikh Hasina and another. [(2008) 28 BLD (AD) 163]** the Appellate Division of the Supreme Court of Bangladesh held sanction given by Government under rule 19 U (2) of Emergency Power Rules, 2007 is valid in the eye of law. There is nothing in Emergency Power Ordinance or Rules, 2007, which contravene the provisions of Article 35(1) of the Constitution. Article 35(1) has no application in matters of civil liability.
6. In **Anti-Corruption commission Vs. Syed Tanveer Ahmed and another [(2008) V ADC 383]** the Appellate Division of the Supreme Court of Bangladesh held that the grounds upon which the bail was granted do not inspire our confidence in view of the above provision of section 19(Gha) of the Emergency Power Rules, 2007. Accordingly we are not inclined to enlarge the accused on bail. Accordingly, it is ordered that the order passed by the High Court Division on 8.11.2008 in writ Petition No. 9581 of 2007, is hereby, vacated and the accused must be taken to custody if they have already been enlarged on bail. The parties, if so advised, may take step for disposal of the aforesaid writ petition expeditiously.
7. In **Abdur Rahim and others Vs. The Government of Bangladesh and others [(2008) XI BSCD]** the Appellate Division of the Supreme Court of Bangladesh held that it is to be noted here that a mere recommendation for granting lease in favour of the petitioners did not create any right in their favour. The alleged recommendation made in 1997 has become meaningless with the efflux of time and now it has lost its efficacy. The identity of the land in question has been seriously disputed by the parties. The respondent no. 6 as well claimed that the land in question is beyond the land of B.S. plot No. 2002 alleged to have taken lease by the petitioners. The identity of the plot land and other incidental matters are surely disputed question of facts and could not be subject matter of the writ Jurisdiction.
8. In **Abdul Jabbar (Md) Vs. Government of Bangladesh, and others. [(2008) 13 BLC (AD) 51]** the Appellate Division of the Supreme Court of Bangladesh held that the High Court Division held that no proceeding was started against the respondent No. 8 and no inquiry was initiated before placing him under suspension and, as such, the order of suspension is ex-facie illegal and the said order has been made in violation of the Rules. Therefore, in the facts and circumstances of the case and in view of the discussion made above, we are of the view that the High Court Division upon correct assessment of the materials on record arrived at a correct decision.
9. In **Ashraf and others Vs. Md. Zahangir Alam & others [(2008) 60 DLR (AD) 66]** the Appellate Division of the Supreme Court of Bangladesh held that before we part with the matter, we would like to record our utmost disapproval and dissatisfaction at the conduct of the learned Judges of the Writ Court in negotiating the price of the remaining 9 items by substituting the

decision of writ-respondent-Government for the same and thereafter directing the said respondent Government to allow the writ petitioner to take delivery of the remaining 9 items by accepting such negotiated price, inasmuch as negotiation of sale price, with the parties never falls within the domain of the Court.

10. In **Government of Bangladesh Vs. Mosammat Rezia Begum [(2008) XI BSCD]** the Appellate Division of the Supreme Court of Bangladesh held that the learned Deputy Attorney General, appearing for the petitioners, submits that the judgment and order of the High Court Division is bad in law, inasmuch, the same has been passed without considering the actual facts and circumstances of the case in the matter of pursuing the Government policy. He further submits that the High Court Division failed to consider that the petitioners are serving on master-rolls and they have no legal right to be appointed earlier in 1995 or even today or thereafter as such the writ-petitions are being misconceived the rule ought to have been discharged. Accordingly, she submits that the impugned order is liable to be set aside.
11. In **Khandker Zillul Bari and ors Vs. The State [(2008) 28 BLD (AD) 145]** the Appellate Division of the Supreme Court of Bangladesh held that this Court though sitting on appeal over the judgment and order of acquittal passed by the High Court Division has been given a special power to do complete justice under Article 104 of the Constitution inasmuch as this Court has been armed with the power of reviewing its own judgment under Article 105 of the Constitution and the provision of Article 105 should not usually be discussed in isolation which may be read with the provision of Article 104 of the Constitution in achieving complete justice.
12. In **Dawad Ali Sardar (Md) Vs. Kazi Mujibar Rahman [(2008) 13 BLC (AD) 67]** the Appellate Division of the Supreme Court of Bangladesh held that the observation of the High Court Division that the trial Court, that is, the learned additional District Magistrate, had no jurisdiction to frame charge under section 307 of the penal Code is not correct but since the High Court Division found on detailed discussion of the evidence of the prosecution witnesses that there is not a single independent and disinterested witness to support the prosecution case, the Appellate Division is not inclined to review the impugned judgment only on the ground that the High Court Division wrongly observed that the learned Additional District Magistrate had no jurisdiction to frame charge under section 307 of the penal Code because that would be a futile exercise in the instant case. Accordingly, the review petition is dismissed.
13. In **Ameena Ahmed Vs. Government of the People's Republic of Bangladesh and ors. [(2008) V ADC 397]** the Appellate Division of the Supreme Court of Bangladesh held that the High Court Division rightly held that in respect of 8.5 acres of land acquisition processing could not proceed due to issuance of stay order by the High Court division but the proceedings of L.A. case, however, continued in respect of remaining lands and gazette notification under Sections 7 and 11 of the Acquisition and Requisition of Immovable Property Ordinance, 1982 were duly published. It further appears that there is no decision by the Government to exclude any land covered by notice under section 3 thereof from acquisition. The learned Attorney General submits that during the joint survey no existence of mosque was found and after obtaining the stay the petitioner, even if, created any structure

or obstruction these are all unauthorized acts of the petitioner to frustrate the acquisition. The acquired land can only be excluded by the Government and the Court has nothing to do in the matter. In the facts and circumstances of the case we find no merit in this petition which is accordingly dismissed.

14. In **Md. Shafiqul Islam Chowdhury & ors Vs. Mustafizur Rahman and others [(2008) 28 BLD (AD) 39]** the Appellate Division of the Supreme Court of Bangladesh held that amendment of a plaint can be allowed under the discretionary power of the Court and such discretion is required to be exercised judicially and not in an arbitrary or perfunctory manner amounting to an illegal exercise of jurisdiction. An amendment to the plaint must not be allowed if it tends to change the nature and character of the suit.
15. In **Bangladesh Vs. A.H.M. Khurshed Ali & others [(2008) 28 BLD (AD) 159, 13 BLC (AD) 114]** the Appellate Division of the Supreme Court of Bangladesh held that District Judge has no jurisdiction to hear the revisional application against the order of the Joint District Judge in a suit the valuation of which is above Tk. 5,00,000/- and in such matters the revisional application shall lie before the High Court Division under section 115(1) of the Code of Civil Procedure.
16. In **The State Vs. Sailendra Chandra Borman [(2008) 16 BLT (AD) 265 = 13 BLC (AD) 65]** the Appellate Division of the Supreme Court of Bangladesh held that the alleged forged document was not filed before the civil Court for only a certified copy thereof was filed. Hence the bar of prosecution as provided under section 195(1)(c) of the Code of Criminal Procedure is not attracted in the present case.
17. In **The State Vs. Omar Ahmed [(2008) 28 BLD (AD) 23]** the Appellate Division of the Supreme Court of Bangladesh held that mere convenience of parties or witnesses or expediency is not the only criteria for transfer of the case from one district to another district.
18. In **Nizamuddin Mahmood Vs. Abdul Hamid Bhuiyan and another [(2008) XI BSCD]** the Appellate Division of the Supreme Court of Bangladesh held that it is not possible to know about the date of receipt of the notice for the complainant and such a fact is to be proved at the trial and generally in all cases the receipt of notice is denied and service is asserted and therefore, such a question cannot be decided in a proceeding under section 561A of the Code of Criminal Procedure in view of the decision of this Court in the case of Abdul Quader Chowdhury Vs. The State reported in 28 DLR (AD) 38 where it was held that where assessment of evidence is involved the case cannot be quashed.
19. In **Anti-Corruption Commission Represented by its Chairman Vs. Barrister Mir Mohammad Helal Uddin and Another [(2008) 28 BLD (AD) 72, V ADC 344]** the Appellate Division of the Supreme Court of Bangladesh held that we cannot but hold that Rule 11 of the Emergency Powers Rules, 2007 as a whole is not only applicable in respect of offences mentioned in Rules 3 to 8 of the Rules but also in respect of the offences under the laws mentioned in Rules 14 and 15 of the Rules inasmuch as the Rules are to be read and construed as a whole and not in isolation of each other. Granting of bail by the appellate Court is governed by section 426 of the Code of Criminal Procedure. In view of Rule 12 of the Rules section 426 of the Code of Criminal Procedure could have been applicable had it not been inconsistent with Rule 11(3) of the Rules and since Rule 11(3) specifically bars the jurisdiction of the appellate court which is in the instant cases, the High Court Division, no bail can be granted by the appellate court as the High Court Division in view of Rule 11(3) of the Rules.

Official Publications

Publications of the Supreme Court of Bangladesh

AT A GALANCE –

1. The Bangladesh Supreme Court Digest-
Volume – I (1972 – 1977)
Volume – II (1978 – 1979)
Volume – III (1980 – 1981)
Volume – IV (1982 – 1983)
Volume – V (1984 – 1985)
Volume – VI (1986 – 1987)
Volume – VII (1988 – 1989)
Volume – VIII (1990 – 1991)
Volume – IX (1992 – 2006)
Volume – X (2007)
Volume – XI (2008)
2. The Code of Criminal Procedure, 1898 (Revised and printed with Amendment up to October, 2007)
3. The Supreme Court of Bangladesh (Appellate Division) Rules, 1988 (Revised and printed with amendment up to 22/04/08)
4. Annual Report of the Supreme Court of Bangladesh, 2008

The publications are available at the Libraries of Supreme Court and distributed to the Government Departments, Subordinate Courts, Bar Libraries and Government Libraries, but not for sale.

Former Chief Justices of Bangladesh

1.	Mr. Justice Abu Sadat Mohammad Sayem	16.12.1972 - 5.11.1975
2.	Mr. Justice Syed A.B. Mahmud Husain	18.11.1975 – 31.1.1978
3.	Mr. Justice Ruhul Islam	13.08.1976 – 22.01.1978 (CJ of the High Court)
4.	Mr. Justice Kemaluddin Hossain	01.02.1978 – 11.4.1982
5.	Mr. Justice F.K.M. Munim	12.04.1982 – 30.11.1989
6.	Mr. Justice Badrul Haider Chowdhury	1.12.1989 – 01.01.1990
7.	Mr. Justice Shahabuddin Ahmed	14.01.1990 – 31.01.1995
8.	Mr. Justice M.H. Rahman	01.02.1995 – 30.04.1995
9.	Mr. Justice A.T.M Afzal	01.05.1995 – 31.05.1999
10.	Mr. Justice Mustafa Kamal	01.06.1999 – 31.12.1999
11.	Mr. Justice Latifur Rahman	01.01.2000 – 28.02.2001
12.	Mr. Justice Mahmudul Amin Choudhury	01.03.2001 – 17.06.2002
13.	Mr. Justice Mainur Reza Choudhury	18.06.2002 – 22.06.2003
14.	Mr. Justice K.M. Hasan	27.01.2004 – 28.02.2007
15.	Mr. Justice Syed J.R. Mudassir Husain	23.06.2003 – 26.01.2004
16.	Mr. Justice Md. Ruhul Amin	01.03.2007 – 31.05.2008

Former Judges of the Supreme Court of Bangladesh

Sl. No	Name	Date of elevation to the HCD	Date of elevation to the AD
1.	Mr. Justice Abu Sadat Mohammad Sayem		16.12.1972
2.	Mr. Justice Syed A.B. Mahmud Husain	18.01.1972	18.12.1972
3.	Mr. Justice Mohammad Abdullah Jabir	18.01.1972	18.12.1972
4.	Mr. Justice A. F. M. Ahasanuddin Chowdhury	18.01.1972	13.08.1976
5.	Mr. Justice Kemaluddin Hussain	18.01.1972	13.08.1976
6.	Mr. Justice F.K.M. Abdul Munim	18.01.1972	13.08.1976
7.	Mr. Justice Dabesh Chandra Bhattacharya	21.01.1972	18.12.1972
8.	Mr. Justice Ruhul Islam	21.01.1972	23.01.1978
9.	Mr. Justice Kazi Mababubs Subhan (Justice K.M. Subhan)	21.01.1972	22.02.1978
10.	Mr. Justice Badrul Haider Chowdhury	26.01.1972	22.08.1978
11.	Mr. Justice Shahabuddin Ahmed	21.01.1972	16.04.1981
12.	Mr. Justice Mohammad Nurul Huda	28.08.1972	
13.	Mr. Justice Chowdhury A.T.M. Masud	19.06.1973	21.04.1982
14.	Mr. Justice Syed Mohsen Ali	19.06.1973	17.01.1983
15.	Mr. Justice Chowdhury A.T.M.Masud	19.06.1973	21.04.1982
16.	Mr. Justice Abdur Rahman Chowdhury	24.11.1973	
17.	Mr. Justice A.R. M. Amirul Islam Chowdhury	24.11.1973	
18.	Mr. Justice Syed Mohammad Hussain	19.06.1974	
19.	Mr. Justice A. S. Faizul Islam Chowdhury	24.06.1974	
20.	Mr. Justice Mohammad Habibur Rahman	20.12.1975	
21.	Mr. Justice M.H. Rahman	08.05.1976	26.12.1985
22.	Mr. Justice Ranadhir Sen	30.01.1976	
23.	Mr. Justice Abdul Wadud Chowdhury	02.03.1976	
24.	Mr. Justice Siddiq Ahmed Chowdhury	02.03.1976	
25.	Mr. Justice Abdul Momit Chowdhury	02.03.1976	
26.	Mr. Justice Abdul Matin Khan Chowdhury	08.05.1976	
27.	Mr. Justice Mohammad Abdul Khaliq	08.05.1976	
28.	Mr. Justice A.T.M. Afzal	15.04.1977	26.12.1985
29.	Mr. Justice Sultan Hossain Khan	13.03.1978	
30.	Mr. Justice Abdul Malek	13.03.1978	
31.	Mr. Justice Mustafa Kamal	09.04.1979	01.12.1989
32.	Mr. Justice Rafiqur Rahman	09.04.1979	



Sl. No	Name	Date of elevation to the HCD	Date of elevation to the AD
33.	Mr. Justice Md. Altaf Hossain	21.11.1979	
34.	Mr. Justice Latifur Rahman	21.11.1979	15.01.1990
35.	Mr. Justice Anwarul Hoque Chowdhury	22.04.1980	
36.	Mr. Justice Aminur Rahman Khan	29.01.1982	
37.	Mr. Justice Mohammad Abdur Rouf	29.01.1982	08.06.1995
38.	Mr. Justice Md. Abdul Quddus Chowdhury	18.01.1983	
39.	Mr. Justice Dalil Uddin Ahmed	15.07.1983	
40.	Mr. Justice Mohammad Abdul Mottalib	15.07.1983	
41.	Mr. Justice Syed Mohammad Ali	15.07.1983	
42.	Mr. Justice Nurul Hoque Bhuiyan	30.12.1983	
43.	Mr. Justice Syed Misbah Uddin Hossain	30.12.1983	
44.	Mr. Justice Mohammad Moksudor Rahman	30.12.1983	
45.	Mr. Justice Mohammad Sohrab Ali	30.12.1983	
46.	Mr. Justice Mohammad Ismailuddin Sarker	30.12.1983	08.06.1995
47.	Mr. Justice Abdul Bari Sarker	30.05.1984	
48.	Mr. Justice Md. Abdul Jalil	30.05.1984	27.05.1986
49.	Mr. Justice Mohammad Abdul Wahab	30.05.1984	
50.	Mr. Justice Bimalendu Bikash Roy Chowdhury	02.07.1985	11.05.1996
51.	Mr. Justice Syed Fazle Ahmmed	26.12.1985	
52.	Mr. Justice A.M. Mahmudur Rahman	26.12.1985	01.02.1999
53.	Mr. Justice D.M. Ansaruddin Ahmed	27.01.1987	
54.	Mr. Justice Mahmudul Amin Chowdhury	27.01.1987	28.06.1999
55.	Mr. Justice Habibur Rahman Khan	21.01.1988	
56.	Mr. Justice A.K.M. Sadeque	27.01.1987	
57.	Mr. Justice Md. Mozammel Haque	27.01.1987	
58.	Mr. Justice Quazi Shafi Uddin	27.01.1987	
59.	Mr. Justice Naimuddin Ahmed	21.01.1988	
60.	Mr. Justice Mohammad Ansar Ali	21.01.1988	
61.	Mr. Justice Md. Budruzzaman	21.01.1988	
62.	Mr. Justice Badrul Islam Chowdhury	29.01.1990	
63.	Mr. Justice Kazi Ebadul Hoque	29.01.1990	19.01.2000
64.	Mr. Justice Mainur Reza Chowdhury	29.01.1990	8.11.2000
65.	Mr. Justice Abdul Hasib	29.01.1990	
66.	Mr. Justice Habibul Islam Bhuiyan	29.01.1990	

Sl. No	Name	Date of elevation to the HCD	Date of elevation to the AD
67.	Mr. Justice Md. Abdul Karim	13.07.1991	
68.	Mr. Justice Mohammad Abdul Mannan	13.07.1991	
69.	Mr. Justice Khndker Mahmud-ul- Hasan	13.07.1991	
70.	Mr. Justice Mahfuzur Rahman	18.02.1992	
71.	Mr. Justice Md. Sirajul Islam	18.02.1992	
72.	Mr. Justice Mohammad Gholam Rabbani	18.02.1992	11.01.2001
73.	Mr. Justice Syed J.R. Mudassir Husain	18.02.1992	05.03.2002
74.	Mr. Justice Md. Ruhul Amin	18.02.1992	11.01.2001
75.	Mr. Justice Abu Sayeed Ahammed	01.11.1992	05.03.2002
76.	Mr. Justice Md. Asaduzzaman	10.02.1994	
77.	Mr. Justice Md. Nurul Islam	10.02.1994	
78.	Mr. Justice Kazi A.T.Monowaruddin	10.02.1994	
79.	Mr. Justice Md. Fazlul Haque	10.02.1994	17.07.2002
80.	Mr. Justice Hamidul Haque	10.02.1994	29.06.2003
81.	Mr. Justice Md. Bazlur Rahman Talukder	10.02.1994	
82.	Mr. Justice Syed Amirul Islam	10.02.1994	
83.	Mr. Justice Md. Iftekhar Rasool	01.06.1996	
84.	Mr. Justice M.A. Aziz	01.06.1996	07.01.2004
85.	Mr. Justice Amirul Kabir Chowdhury	01.06.1996	26.02.2994
86.	Mr. Justice Md. Hassan Ameen	01.06.1996	21.03.2007
87.	Mr. Justice AK. Badrul Huq	01.06.1996	
88.	Mr. Justice Gour Gopal Shaha	24.02.1997	
89.	Mr. Justice Md. Ali Asgar Khan	24.02.1997	
90.	Mr. Justice Md. Awwad Ali	24.02.1997	
91.	Mr. Justice Zakir Ahmad	24.02.1997	
92.	Mr. Justice Md. Latifur Rahman	27.04.1998	
93.	Mr. Justice Md. Abdul Quddus	27.04.1998	
94.	Mr. Justice Md. Abdur Rashid	24.10.1999	
95.	Mr. Justice A.K.M. Shafiuddin	28.05.2000	
96.	Mr. Justice A. F. M. Mesbahuddin	28.05.2000	
97.	Mr. Justice Munsurul Haque Chowdhury	28.05.2000	
98.	Mr. Justice Altaf Hossain Khan	22.02.2001	
99.	Mr. Justice Abdus Salam Mamun	29.07.2002	
100.	Mr. Justice Syed Shahid-ur-Rahman	27.04.2003	
101.	Mr. Justice Nirmolendu Dhar	23.08.2004	
102.	Mr. Justice A. B. M. Hatem Ali	23.08.2004	
103.	Mr. Justice Faisal Mahmud Faizee	23.08.2004	

The Supreme Court Bar Association

All the practicing Advocates of both the Divisions including the Advocates-on-record are the members of the Supreme Court Bar Association. The Supreme Court Bar Association always plays active and vital role in protecting the supremacy, dignity and the integrity of the Supreme Court. The Association is housed in two buildings one is known as the main building which is two storied and the other known as the annex building which is 3 (three) storied. The present Association has a legacy of the then Dhaka High Court Bar Association, housed in the old building of the then High Court of judicature at Dhaka, established after the creation of Pakistan in 1947. In 1967 the then High Court of judicature at Dhaka was shifted to the present main building; 4 rooms of the main Building on the western side were allowed for use of the learned members of the Association. The present main building of the Association was inaugurated in November, 1975 by the then Hon'ble President Mr. Justice Abu Sadat Muhammad Sayem, the first Chief Justice of Bangladesh. In both the buildings, rooms are allotted to the members of the Association to have their private sitting arrangements in carrying out their judicial works against monthly payments to the Association and such rooms are known as cubicles. Presently, there are 489 cubicles, apart from 3 (three) big hall rooms. The learned members of the Association, who can not be provided with cubicles, sit in the hall rooms. The Association has a modern auditorium. The Association has also a medical Care Centre in the ground floor of the main building, where a doctor sits regularly on the working days and provides medical treatment to its members.

The library of the Association is in the main building and has a rich collection of books, law journals and law reports of USA, UK, Australia, Common Wealth, India, Pakistan and Bangladesh Supreme Court.

The Supreme Court of Bangladesh has two Divisions namely: (a) The Appellate Division and (b) The High Court Division. In order to practice in each of the Divisions one has to be enrolled as an Advocate of the said Division and also to become member of the Supreme Court Bar Association. Both the Divisions have separate enrolment procedure.

Advocate of the Appellate Division:

There are three categories of Advocates who are entitled to practice law before the Appellate Division, Viz, Senior Advocate, Advocate and Advocate on record. Enrolment of these 3 (three) categories of Advocates is guided by Order IV of the Supreme Court of Bangladesh (Appellate Division) Rules, 1988 (Rules, 1988). Order IV, rule 11 of the Rules, 1988 deals with the enrolment as Senior Advocates. The said rule provides that the Chief Justice and the Judges may, on application or otherwise select, from time to time, from among those whose names are on the Roll of the Advocates, persons who are judged, by their knowledge, ability and experience, to be worthy, if being granted the status of Senior Advocate and on signing the Roll of Senior Advocates he shall assume the said status. In the said rule it has further been provided that the Chief Justice and the judges may, before selecting an Advocate as Senior Advocate, consider whether he/she could show sufficient appearance before the court so as to entitle him to get the status of Senior Advocate. Rule 12 of Order 11 of the Rules, 1988 has provided that a fee of taka ten thousand only shall be paid by a Senior Advocate before he signs the Roll.

Enrolment as an Advocate of the Appellate Division is guided by rules 3, 4 and 5 of Order IV of the Rules, 1988. In order to be enrolled as an Advocate of the Appellate Division, one must be:

- (a) an Advocate in the High Court Division for not less than 5 (five) years.
- (b) certified in a duly authenticated form by the Bangladesh Bar Council that he is an enrolled Advocate of the High Court Division.
- (c) certified by the judges of the High Court Division that he is a fit and proper person to appear and plead as an Advocate before the Appellate Division.

But the Chief Justice and the Judges may grant enrolment to an advocate, not qualified as aforementioned, if in their opinion, he is qualified by knowledge, ability and experience to be enrolled as an Advocate of that Division. The power may also be delegated to the Enrolment Committee. In order to be enrolled as an Advocate of the Appellate Division an application for enrolment have to be made in such form as may be prescribed by the Court from time to time and shall be accompanied by the following documents:

- (i) a certificate of the Bangladesh Bar Council as mentioned in (b) above;
- (ii) bio-data of the applicant giving full particulars of his/her qualifications and any previous employment or engagement for gain;
- (iii) a list of cases, in which he/she appeared before the High Court Division;
- (iv) an affidavit by the applicant that he/she is eligible and not disqualified to be enrolled as an Advocate in the Appellate Division of Bangladesh Supreme Court; and
- (v) six recent passport size photographs of the applicant.

The application for enrolment shall be considered by an Enrolment Committee consisting of at least two Judges to be nominated by the Chief Justice and the Committee may call the applicant for interview and call for any record. If the Enrolment Committee grants the application, the applicant shall be allowed to sign the Roll of Advocates on payment of taka 5,000/00 (five thousand).

Qualification for enrolment as an Advocate-on-record has been laid down in rule 17 of Order IV of the Supreme Court of Bangladesh (Appellate Division) Rules, 1988 which are as under:

No person shall be qualified for being enrolled as an Advocate-on-Record unless, he-

- (a) has been for not less than seven years enrolled as an Advocate of the Courts subordinate to the Appellate Division of the Supreme Court including at least three years standing as an Advocate of the High Court Division;
- (b) has an office at the seat of the Registry of the Court;
- (c) has telephone installation at his office at the seat of the Registry of the Court;
- (d) signs the Roll of Advocate-on-Record maintained for the purpose.

Provided that the Chief Justice and the Judges may grant enrolment of a person not qualified as a aforementioned, if, in their opinion, he is qualified by knowledge, ability and experience to be enrolled as an Advocate-on-Record. This power may, be delegated to the Enrolment Committee. Such application for enrolment as an Advocate-on-record shall be made in such form as may be prescribed by the Court from time to time. Rule 18 of Order IV of the Rules, 1988 has provided that the application shall have to be accompanied by-

- (i) an authenticated copy of the applicant's first enrolment as an Advocate on the roll of Bangladesh Bar Council;
- (ii) a certificate from the Bar Association, where the applicant first joined to practice the profession of law mentioning the date of commencement of his membership of the Bar Association;

- (iii) an authenticated photostat copy of his certificate of enrolment as an Advocate of the High Court Division of the Supreme Court;
- (iv) a certificate in a duly authenticated form by the Supreme Court Bar Association that he is still an Advocate of the High Court Division of the Supreme Court;
- (v) bio-data of the applicant giving full particulars of his qualification and any previous employment for gain;
- (vi) a list of cases in which he appeared before the High Court Division;
- (vii) an affidavit by the applicant that he is eligible and not disqualified to be enrolled as an Advocate on record in the Appellate Division of the Supreme Court; and
- (viii) six recent passport-size photographs of the applicant.

Rule 19 of Order IV of the Rules, 1988 has further provided that an application for enrolment as Advocate-on-record shall be considered by an Enrolment Committee consisting of at least two judges to be nominated by the Chief Justice and the committee may call the applicant for interview and call or ask for any record. If the Enrolment Committee grants the application, the applicant shall be allowed to sign the Roll of Advocate-on-Record on payment of fee of taka 2,000/00.

Rule 7 of Order IV of the Rules, 1988 has clearly provided that a Senior Advocate, an Advocate and an Advocate-on-Record shall be entitled to appear and plead before the Court on signing his respective Roll. Rule 33 has provided that the Attorney General for Bangladesh shall have precedence over all Advocates and Senior Advocates. In Rule 34 it has further been provided that the Attorney General for Bangladesh and Additional Attorney-General shall, by virtue of their offices have the status and precedence of a Senior Advocate of the Court notwithstanding that their names are not contained in the Roll of Senior Advocates. The Deputy Attorney General and Assistant Attorney General shall, by virtue of their office, have the status of an Advocate of the court notwithstanding that their names are not contained in the Roll of Advocates of the court.

Advocates of the High Court Division:

The enrolment in the High Court Division is controlled by the Bangladesh Bar Council under the provisions of the Bangladesh Legal Practitioners and Bar Council Order, 1972 (the Order 1972) and the Rules framed thereunder, namely, The Bangladesh Legal Practitioners and Bar Council Rules, 1972 (the Rules 1972).

Article 21 of the Order provides that no Advocate other than an Advocate permitted to practice before the High Court immediately before the commencement of the Order, shall be permitted to practice before the High Court Division unless-

- (a) he has practiced as an Advocate before subordinate courts in Bangladesh for a period of two years;
- (b) he is a law graduate and has practiced as an Advocate before any court outside Bangladesh notified by government in the official gazette;
- (c) he has, for reason of his legal training or experience been exempted by the Bar Council from the forgoing requirements of this clause on the basis of the prescribed criteria.

Rules 65 A of the Rules, 1972 has given power to the Bar Council to grant exemption under article 21(1) (a) requiring practice for a period of 2 (two) years before seeking permission to practice in the High Court Division on the basis of the following criterion-

- (i) Advocates who were called to the Bar in U.K. or who have obtained higher 2nd class in LL.M. (at least 50% marks in aggregate) from any recognised University and further worked with a Senior Advocate of the Supreme Court in his Chamber for at least one year [since his enrolment as Advocate under Rule 62(1)]; and
- (ii) Persons holding a degree in law and have held a judicial office (i.e. office of a Civil Judge) for a total period of at least 10 years do not require to appear for written test as per sub-rule (2) hereof but he shall have to appear before the interview Board.

Enrolment to practice in the High Court Division is done by an Enrolment Committee consisting of 5 persons consisting of :

- (a) Chairman to be nominated by the Chief Justice from amongst the judges of the Appellate Division
- (b) One member to be nominated by the Chief Justice from amongst the Judges of the High Court Division.
- (c) Attorney General for Bangladesh.
- (d) Two members elected by the Bar Council from amongst its members.

(2) The procedure for the enrolment of Advocates and the business of the Enrolment shall be regulated by the Enrolment Committee in such manner as may be determined by it.

Rule 65 A (1) of the Rules, 1972 has provided that all applications for permission to practice in the High Court Division shall be made in prescribed form as appended to the rules, accompanied by the papers detailed in clause (a) (b) (c) and (d) thereof. Of the above 3 (three) clauses clause (b) provides that a list of at least 25 cases either civil or criminal or both in which the Advocate appeared before the concerned courts must be submitted. Presently after an Advocate fulfills the requirement to apply for permission to practice, written test is taken on the syllabus for the same as detailed in sub-article (3) of Rule 65 A. The qualifying marks for written test is 12 out of 25 and for oral test is 12 out of 25, but the aggregate marks of the two tests must be at least 25 (that is 12 + 13).



Building of the Supreme Court Bar Association



Names of the President and the Secretary of the Supreme Court Bar Association from 1972 to 2008.

Period	Names of the President and the Secretary	
1971-1972:	President	Mr. Asaduzzaman Khan and Mr. M.H. Khondker
	Secretary	Mr. Tufail Ahmed and Mr. Mohammad Yeasin
1972-73:	President	Mr. Ahmed Sobhan
	Secretary	Mr. Shamsul Huq Choudhury
1973-74:	President	Mr. Mirza Golam Hafiz
	Secretary	Mr. Mohammad Yeasin
1974-75:	President	Dr. Aleem-Al-Razee
	Secretary	Mr. Mohammad Yeasin
1975-76:	President	Mr. Tafazzal Ali (T. Ali)
	Secretary	Mr. A.K.M. Shafiqur Rahman
1976-77:	President	Mr. Ahmed Sobhan
	Secretary	Mr. H.K. Abdul Hye
1977-78:	President	Mr. T.H.Khan
	Secretary	Mr. Shah Md. Sharif
1978-79:	President	Mr. Syed Ishtiaq Ahmed
	Secretary	Mr. M. Hafizullah
1979-80:	President	Mr. Khondker Mahubuddin Ahmed
	Secretary	Mr. Syed Abul Mokarrum
1980-81:	President	Dr. Rafiqur Rahman
	Secretary	Mr. Md. Ruhul Amin
1981-82:	President	Mr. Mohammad Yeasin
	Secretary	Mr. Habibul Islam Bhuiyan
1982-83:	President	Mr. Serajul Huq
	Secretary	Mr. Md. Fazlul Karim
1983-84:	President	Mr. Shamsul Huq Choudhury
	Secretary	Mr. Giusuddin Ahmed
1984-85:	President	Mr. Shamsul Huq Choudhury
	Secretary	Mr. Abu Sayeed Ahammad
1985-86:	President	Mr Shamsul Huq Choudhury
	Secretary	Mr. A.Y. Masihuzzaman

Period	Names of the President and the Secretary	
1986-87:	President	Mr. Shamsul Huq Choudhury
	Secretary	Mr. Abdul Baset Majumder
1987-88:	President	Mr. Shamsul Huq Choudhury
	Secretary	Mr. Abdul Baset Majumder
1988-89:	President	Mr. Shamsul Huq Choudhury
	Secretary	Mr. M.A. Wahhab Miah
1989-90:	President	Mr. Syed Ishtiaq Ahmed
	Secretary	Mr. M.A. Wahhab Miah
1990-91:	President	Dr. Kamal Hossain
	Secretary	Mr. Md. Fazlul Haque
1991-92:	President	Dr. Rafiqur Rahman
	Secretary	Mr. A.F.M. Mesbahuddin
1992-93:	President	Mr. Khondker Mahhubuddin Ahmed
	Secretary	Mr. A.F.M. Ali Asgar
1993-94:	President	Mr. Kazi Golam Mahbub
	Secretary	Mr. Mahbubey Alam
1994-95:	President	Mr. M. Hafizullah
	Secretary	Mr. Mohammad Ozair Farooq
1995-96:	President	Mr. T.H. Khan
	Secretary	Mr. S.M. Munir
1996-97:	President	Mr. Shaukat Ali Khan
	Secretary	Mr. Nozrul Islam Chowdhury
1997-98:	President	Mr. Nazmul Huda
	Secretary	Mr. Zainul Abedin
1998-99:	President	Mr. Habibul Islam Bhuiyan
	Secretary	Mr. Abdul Awal
1999-2000:	President	Mr. Shafique Ahmed
	Secretary	Mr. Md. Saidur Rahman
2000-2001:	President	Mr. Mainul Hosein
	Secretary	Mr. Md. Shahidul Karim Siddique.
2001-2002:	President	Mr. Abdul Baset Majumder
	Secretary	Mr. Md. Momtazuddin Fakir
2002-2003:	President	Mr. Mohammad Ozair Farooq
	Secretary	Mr. M. A Hafiz
2003-2004:	President	Mr. Rokanuddin Mahmud
	Secretary	Mr. Md. Mahbub Ali
2004-2005:	President	Mr. Rokanuddin Mahmud
	Secretary	Mr. Bashir Ahmed
2005-2006:	President	Mr. Mahbubey Alam
	Secretary	Mr. M. Enayetur Rahim
2006-2008:	President	Mr. M. Amir-UI-Islam
	Secretary	Mr. A.M. Amin Uddin

Budget/Finance of the Supreme Court of Bangladesh

Under Article 88(b)(ii) of the Constitution of People's Republic of Bangladesh, provides for the remuneration of the Judge of Supreme Court of Bangladesh and under 88(c) of constitution provides for the administrative expenses of the Supreme Court, including salary, payable to officers and the staff of the Supreme Court, shall be charged upon the Consolidated Fund.

The Budgetary Grants for the financial years 2007-2008 and 2008-2009 are Tk. 27,70,77,000/- and Tk. 32,29,60,000/- respectively.

Thus the expenses of the Court shall be borne by the Government of Bangladesh in such a manner as shall be decided by the national budget passed by the parliament. A preliminary draft budget is prepared by the Registrar. This preliminary draft is submitted for the consideration of the Chief Justice of Bangladesh. Once approved, the draft budget is forwarded to the Government for incorporation in the national Budget. It is finally adopted by the Parliament.

The Registrar, being ex-officio Chief Accounting officer, is responsible for expenditure of the amount sanctioned in the budget of the Supreme Court, with the assistance of the Accounts Sections of the Supreme Court and under the guidance of the Chief Justice of Bangladesh. The Registrar has to ensure the proper use of the funds allocated and must see that no expense is incurred which is not provided for in the budget of the Supreme Court of Bangladesh. He is also authorised to approbate and re-approbate from one head to another shown in the budget without the sanction of the Government but can not exceed the amount, shown in the budget. The accounts of the Court are audited every year by the Auditors of the Office of the Comptroller and Auditor General of Bangladesh.

The Supreme Court Registrar and Registry

Under Article 113 of the Constitution of the People's Republic of Bangladesh, the Supreme Court of Bangladesh, with previous approval of the President, may make rules providing for the appointment of officers and staffs of the Court and for their terms and conditions of employment. Accordingly, Bangladesh Supreme Court Appellate Division's Officer and Staff Appointment Rules, 2000 and Bangladesh Supreme Court High Court Division's (Officer and Staff) Appointment Rules, 1987 have been framed.

The Registry of the Supreme Court provides administrative services to the court to facilitate its day to day judicial function smoothly in accordance with the Supreme Court of Bangladesh (Appellate Division) Rules, 1988* and Supreme Court (High Court Division) Rules, 1973. The total work of the Registry has been divided into various categories and the work assigned to one of these categories is known as "Section". Transaction of all administrative works relating to the conditions of service and conduct of Court's employees is made under direct and over all supervision of the Registrar who renders such duty under the direction of the Chief Justice of Bangladesh.

In the area of organisational set-up the Registry consists of Registrar, assisted by 3 Additional Registrars, amongst them 1 for Appellate Division and 2 for High Court Division, 9 Deputy Registrars, amongst them 1 for Appellate Division and 8 for High Court Division, 14 Assistant Registrars, amongst them 3 for Appellate Division and 11 for High Court Division, 1 Research and Reference Officer, 2 Secretaries of the Chief Justice of Bangladesh and other 1487 employees of different level. The post of Registrar, being head of the Registry, is to be filled up by a senior judicial officer having the rank and status of a District and Session Judge. With this organogram the Registry also provides assistance to Advocate and litigant public on legal procedures and formalities for filing cases and completing the record.

Functions:

In rendering administrative service to the Court for carrying out its judicial functions, in accordance with the Supreme Court of Bangladesh (Appellate Division) Rules, 1988 and Supreme Court (High Court Division) Rules, 1973, the Registry also provides the following functions:

1. to prepare the cause list in order to intimate the parties and the Advocates about the fixation of their case for hearing or other matter for fixing before a bench;
2. to provide the Court's necessary assistance and information to processing of cases pending before the Court;
3. to require any petition of appeal, petition or other matters presented to the Court to be amended in accordance with the practice and procedure of the Court;
4. to fix the dates of hearing of appeals, petitions or other matters and issue notices thereof;

* The Supreme Court (Appellate Division) Rules, 1973 are revoked by the the Supreme Court of Bangladesh (Appellate Division) Rules, 1988.

5. to settle the index in cases where the record is to be prepared under the supervision of the Registry;
6. to ensure that necessary documents are included and all legal and procedural formalities have been complied with before a case made ready for hearing;
7. to direct any formal amendment of record;
8. to make an order for change of Advocate-on-Record with the consent of the Advocate-on-Record;
9. to grant leave to inspect and search the records of the Court and order to grant of copies of documents to parties to proceedings;
10. to allow from time to time on a written request any period or periods not exceeding twenty-eight days in aggregate for furnishing information or for doing any other act necessary to bring the plaint, appeal, petition or other proceeding in conformity with the rules and practice of the Court;
11. to implement Court judgments and orders ;
12. to maintain the records; and
13. to maintain the record of senior Advocates of the Supreme Court, Advocates and Advocate-on-record.
14. to perform any other functions subject to any general or special order, issued by the Chief Justice of Bangladesh.

Activities:

The Registry provided its various services to the Court, lawyer and litigants over the year in accordance with the practice and procedure of the Supreme Court of Bangladesh. Planning was made and strategies were adopted to quicken the process of case flow by the staff as well as the Court. Various administrative steps were taken to ensure the expected service of the Registry to the litigants and the Court.

The officers and staff were fully committed and had rendered their hard work for the cause of case management and Court administration. The learned members of the Bar were also generous to afford their support in running the administration smoothly. The Court users and litigant public were in good understanding which helped the Registry to secure best service to them. This endeavour will continue to ease the judicial administrations, required for the justice delivery system with vigour and passion.

There is much work to be done in the year 2009. In fact, the journey towards excellence is long and there will be no end of it.

Names of the Registrars

SL. No.	Name	Duration
01.	Mr. Shahabuddin Ahmed	31.09.1967-20.01.1972
02.	Mr. Mohammad Abdul Khaleque	22.02.1972-20.07.1973
03.	Mr. Abdul Mumit Chowdhury	20.07.1973-02.03.1976
04.	Mr. Md. Abdul Ahad	19.04.1976-06.12.1976
05.	Mr. Mohammad Ali Khan	06.12.1976-05.10.1977
06.	Mr. K.F. Akbor	05.10.1977-29.01.1980
07.	Mr. Sheikh Khorshed Ali	08.05.1980-03.01.1981
08.	Mr. Khondker Badruddin Ahmed	05.01.1981-06.07.1982
09.	Mr. Naimuddin Ahmed	01.09.1982-21.01.1988
10.	Mr. Md. Hamidul Huq	03.02.1988-15.05.1990
11.	Mr. Md. Nurul Islam	15.05.1990-15.04.1992
12.	Mr. Kazi Golam Rasul	15.04.1992-30.04.1994
13.	Mr. Md. Ali Asgor Khan	30.04.1994-24.02.1997
14.	Mr. Md. Abdul Jalil	16.03.1997-30.12.1999
15.	Mr. Mohammad Marzi-ul-Huq	05.01.1999-21.02.2001
16.	Mr. Quamrul Islam Siddiqui	27.02.2001-22.08.2004
17.	Mr. Md. Fazlul Karim	07.09.2004-12.01.2007
18.	Mr. Ikteder Ahmed	08.03.2007-31.07.2008
19.	Mr. Abu Bakar Siddiquee	22.09.2008 to till now