

1[Chapter-I**PRELIMINARY**

2[1. Citation.- These Rules shall be cited as the Supreme Court of Bangladesh (High Court Division) Rules, 1973.]

2. Construction of references.- (1) Unless the context otherwise requires, the expressions used in these Rules shall be construed as follows:

- (a) in case of matters of civil nature, such expression shall carry the meaning as in the Code of Civil Procedure, 1908 or the law referred to in the provision in which the expression occurs;
- (b) in case of matters of criminal nature, such expression shall carry the meaning as in the Code of Criminal Procedure, 1898 or the law referred to in the provision in which the expression occurs;
- (c) in other cases, such expression shall carry the ordinary meaning as followed in the practices of the Court.

(2) Where a provision of these Rules refers to the expression Civil Procedure Code, Criminal Procedure Code, Court-fees Act and the Constitution, such reference shall mean the Code of Civil Procedure, 1908, the Code of Criminal Procedure, 1898, the Court-fees Act, 1870 and the Constitution of the People's Republic of Bangladesh respectively.

(3) Unless the context otherwise requires, the expression "Code" occurring in a provision of these Rules, shall be construed as a reference to the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1898 in matters of civil and criminal respectively.

¹ Chapter I was inserted by Notification No. 181-G dt. 22-10-2012. Original Ch. I renumbered as Ch. IA.

² This citation follows the citation of the Rules published by Notification No. 740.G, dated 30.01.1973 by which continuity of all Rules made by the erstwhile High Court at Dhaka was given.

(4) Where a provision of these Rules refers to the abbreviation "C.P.C.", "Cr.P.C. and High Court Division Rules or HCD Rules, it shall mean the Code of Civil Procedure, 1908, the Code of Criminal Procedure, 1898 and the Supreme Court of Bangladesh (High Court Division) Rules, 1973 respectively.

(5) Unless the context otherwise requires-

(a) the expression "Chief Justice" means the Chief Justice of Bangladesh;

(b) the expression "Court" or "the Court" occurring in a provision of these Rules means the High Court Division or a Bench of that Division; and

(c) the word "Judge" shall mean a Judge or Judges of that Division or the concerned Bench thereof.

(6) The expression "subordinate court" means any court, tribunal or other judicial body, by whatever name described in a law, that is subordinate to the High Court Division; and the expression "Judicial Officer" shall mean a member of the Bangladesh Judicial Service.

(7) A "Note" occurring after any provision of these Rules shall be construed as supplementary or, as the case may be, explanatory to such provision.

3. Bangla reference to rule etc.-Where in a memorandum or petition of appeal, application or affidavit, or in a judgement or order of the Court, or in a notice or any correspondence issued to and from the Registry of the Court, a reference is made to any provision of these Rules in Bangla, such reference shall contain the appropriate Bangla expression and number (if any) clearly indicating the concerned provision [e.g বিধি (rule), উপ-বিধি (sub-rule), দফা (clause), উপ-দফা (sub-clause), শর্তাংশ (proviso), তফসিল (schedule), পরিশিষ্ট (Appendix), ফরম (Form) ইত্যাদি].

4. Publication of authentic Bangla translation.-The Supreme Court may prepare and publish an authentic Bangla translation of these Rules.]