



10.07.2010, 10.07.2010, 10.07.2010, 10.07.2010, 10.07.2010

IN THE SUPREME COURT OF BANGLADESH.

HIGH COURT DIVISION

(SPECIAL ORIGINAL JURISDICTION)

WRIT PETITION NO. 8483 OF 2009.

In the matter of;

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

And

~~In the matter of:~~

~~An application for hearing interim direction as per prayer b(ii) of this Writ Petition.~~

And

In the matter of:

Articles 15, 31, 32 and 40 of the Constitution of People's Republic of Bangladesh; The Agriculture and Sanitary Improvement Act, 1920; The Embankment and Drainage Act 1952; The Bangladesh Water Development Boards Act, 2000; The Water Resource Planning Act, 1992 The Local Government (Union Parishads) Ordinance, 1983; Upazilla Parishad Act, 1998; The Standing Orders on Disaster Management, 1997; The Climate Strategy and Action Plan (2008) and other related laws and regulations

And

In the matter of:

1. Bangladesh Environmental Lawyers Association (BELA), a Social registered under the Societies Registration Act, 1860 having its office at House No. 15/A, Road No. 3, Dhanmondi Residential Area, P. S. Dhanmondi, Dhaka, being represented by its Executive Committee Member, M. Iqbal Kabir, Advocate, Supreme Court.
2. Dr. Achintya Kumar Mondol, Joint Secretary, Dacop Nagarik Parishad, Village- Chalna, Post: Chalna Bazar; Upazilla: Dacop, District- Khulna.

.....Petitioners.

Versus



1. Bangladesh, represented by the Secretary, Ministry of Water Resources, Government of Bangladesh, Bangladesh Secretariat, P.S. Ramna, Dhaka 1000., and others.

.....Respondents.

And

In the matter of:

Directions upon the respondents to declare the Aila affected areas (referred to in Paragraph 6) as 'Distress Area', repair/reconstruct the damaged embankments of the said Areas and provide the displaced persons of the said areas with necessary supports till the time they can be enabled to return to their homes and engage into normal economic activities.

Present

Mr. Justice Syed Mahmud Hossain.

And

Mr. Justice Quamrul Islam Siddiqui.

The 4th January, 2010.

Mr. Md. Khairul Alam

.....For the Petitioner.

Mr. Razik Al Jalil, DAG

.....For the Respondents.

This is an application praying for interim order as per prayer 'B(ii)' of the writ Petition.

Heard the learned Advocate and perused the application. In the application it is stated that at the time of issuance of the Rule interim order as per prayer 'B(ii)' was passed. But at the time of drawing up of the order, prayer b (ii) was not drawn up.)

It appears that we wrote on the first page of the Writ Petition about passing of interim order in respect of prayer b(ii). The interim order was made for providing with winter cloth to the people affected by Aila which created havoc in 2009. The petitioners, however, prayed for providing the Aila affected people with



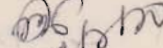
Having considered the precarious condition of People's affected by Aila, we are inclined to direct the respondents to provide with winter cloth to the people affected by Aila as early as possible.

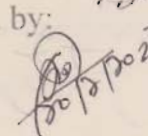
Let this order be communicated to the respondents by a special messenger of this Court at the cost of the petitioner.

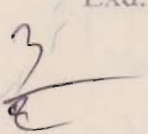
S.M. Hossain.

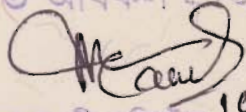
Quamrul Islam Siddiqui.

Type by:  10.1.2010.

Read by: 

Exd. by: 

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ত্যাগিত অবিবল পতিলিপি

সহকারী রেজিস্ট্রার 10.1.10
বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিভাগ
(১৮৭২ ই ২ সনের ১নং আইনের)
৭৬ ধারামতে ক্ষমতা প্রাপ্ত
Rahab
10.1.10 