

IN THE SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION  
(SPECIAL ORIGINAL JURISDICTION)  
WRIT PETITION No. 4390 OF 2013.

In the matter of:

An application under Article 102(1) and (2) (a) of the Constitution of the people's Republic of Bangladesh.

And

In the matter of:

Articles 11, 14, 15, 21, 27, 31 and 32 of the Constitution, Bangladesh Labour Code 2006, Building Construction Act, 1952.

And

In the matter of:

1. Ain o Salish Kendra (ASK), represented by its Executive Director, 7/17, Block- B, Lalmatia, Dhaka.

2. Bangladesh Legal Aid and Services Trust (BLAST) represented by its Legal Advisor, YMCA Bhaban

1/1 +A; Pioneer, Road, Shergunbagicha, Dhaka.....Petitioners.

Versus

1. Bangladesh, represented by the Secretary, Ministry of Housing and Public Works, Bangladesh Secretariat, Dhaka, and others. ....Respondents.

And

In the matter of:

Failure of the respondents to ensure effective enforcement of application laws on building construction and workplace safety, in particular, failure to prevent death and injuries of garments workers and other people from collapse of the nine-storey building namely Rana Plaza, in Savar, Dhaka amounting to breach of statutory duties and gross negligence of the respondents.

Present

Mr. Justice Mirza Hussain Haider.

And

Mr. Justice Muhammad Khurshid Alam Sarkar.

The 20<sup>th</sup> May, 2013.

Mr. ZI Khan with

Mrs. Sara Hossain with

Mr. M. Iqbal Kabir, advocates,

for petitioner.

Mr. Md. Korruki Rahman, Advocate.

.....for Respondent No. 7.

Mr. Abdul Mannan, Advocate.

.....for the respondents No. 13.

Mr. Al Amin Sarker, DAG

.....for Respondents No. 3-5.

Pursuant to order dated 5.5.2013, the respondents No. 7(Bangladesh Bank) files affidavit of compliance regarding filing statement of accounts of Sohel Rana and five garment owners maintained with different commercial banks. The same be kept with the record for dealing with the same in accordance with law at the time of hearing of the Rule.

Let the affidavits in opposition filed by learned Deputy Attorney General on behalf of Respondents No. 3, 4 and 5 be kept with the record for dealing with the same in accordance with law.

It appears from office notice dated 30.04.2013 that the Rule could not be served upon Respondents No. 8 to 12, who are no less than Sohel Rana, the owner of 'Rana Plaza' and four other owners/Managing Directors/CEOs of five garment industries housed at the collapsed 'Rana Plaza' Savar, Dhaka, who were produced before this Court on 30.04.2013 by the Officer in Charge Savar Police Station and has been sent to custody in connection with two criminal cases being Savar Police Station Case No. 53 dated 24.4.2013 under section 12 of the Building Construction Act and Savar Police Station Case No. 55 dated 25.4.2013 under different sections of the penal Code.

Under such circumstances, office is directed to serve copy of the instant Rule upon Respondents No. 8 to 12 through the Inspector General (Prison) and Inspector General of police by a special messenger at the cost of the petitioner.

Office is further directed to report compliance as to service of notice by 22.05.2013.

M.H. Haider.

M.K.A.Sarkar.

Copy forwarded to:

8. Md. Shohel Rana, Owner of Rana Plaza, Savar Bazar, Savar, Dhaka.

9. Managing Director, New Wave Bottoms Limited, Rana Plaza Savar Bazar Savar, Dhaka.

10. Managing Director, Phantom Apparels Ltd. Rana Plaza, Savar Bazar, Savar, Dhaka.

11. Managing Director, Phantom Tack Ltd. Rana Plaza, Savar Bazar, Savar, Dhaka.

12. Managing Director, Ether Textile Ltd. Rana Plaza Savar Bazar, Savar, Dhaka.

For information and necessary action.

By order.

Assistant Registrar.

21.5.13

Mamun/21.5.2013.

Read by: [Signature]

Exd. by: [Signature]

Superintendent

[Signature]  
21.5.13