

IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(SPECIAL ORIGINAL JURISDICTION)

WRIT PETITION NO. OF 2007.

IN THE MATTER OF:

An application under Article 102(2)(a)(i) of the Constitution of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

Public Interest Litigation (PIL).

AND

IN THE MATTER OF:

Inaction of the respondents to recover the deed body of the victims in Rangs Bhaban and for a direction upon the respondents to use modern technological equipment and to take sufficient precautions to save the life of the workers during the demolishing of Rangs Bhaban.

AND

IN THE MATTER OF:

1. Human Rights and Peace for Bangladesh (HRPB) Represented by the President of the Executive Committee Advocate Manzill Murshid of 36 Mirpur Road, Dhanmondi, Dhaka, Bangladesh.

.....Petitioner

-V E R S U S-

1. Bangladesh, Represented by the Secretary, Ministry of Housing and Public Works, Bangladesh Secretariat, Police Station- Shahabag, District-Dhaka.

2. The Inspector General of Police, Police Head Quarter, Ramna, Dhaka, Bangladesh.

3. The Police Commissioner, Dhaka Metropolitan Police, Eskaton , Ramna, Dhaka, Bangladesh.

4. The Chairman RAJUK, Rajuk Bhaban, Dilkhusha, Dhaka, Bangladesh .

5. The Secretary RAJUK, Rajuk Bhaban, Dilkhusha, Dhaka, Bangladesh .

6. The Chief Engineer RAJUK, Rajuk Bhaban, Dilkhusha, Dhaka, Bangladesh .

7. The Officer-In-Charge (O.C.), Tejgaon Police Station, Dhaka, Bangladesh.

.....Respondents.

GROUND S

i. For that the respondent are the public servants and they are duty bound at all time to serve the people and to perform the public duties. But they have failed to

do their duty because after the accident dead body of the victims were hanging few days and decomposed at the place.

ii. For that after death the dead body is to be buried according to the religious norms, but in the instant case due to the inaction of the respondents, the dead body of the victims was decomposed and hanging for few days, which is unnatural.

iii. For that the respondents are liable for their negligence. They have not taken sufficient precautions to protect the life of the workers. More over without any modern equipment they used the innocent worker to work at a risky position. If the present manual system continues for demolishing the bhaban in that case life of the workers could be danger. Hence a direction may be given upon the respondents to use modern technological equipment and to take sufficient precautions to save the life of the workers during the demolishing of Rangs Bhaban.

iv. For that the workers who were engaged in the Rangs Bhaban as labor are poor people and was bound to work there for their livelihood . Without any precautions to save the life of the workers they have sent in a dangerous situation, which is violation of human rights. Hence a direction may be given upon the Respondent to take legal action against the liable person for the damage of the life.

Wherefore, it is most humbly prayed that your Lordships would graciously be pleased to issue:-

A) A Rule Nisi calling upon the Respondents to show cause as to why the inaction of the respondents to recovery the dead body of the victims from Rangs Bhaban should not be declared illegal and without lawful authority and why a direction should not be given upon the respondents to use modern technological equipment and to take sufficient precautions to save the life of the workers during the demolishing of Rangs Bhaban and pass such other or further order or orders as your Lordships may deem fit and proper.

B) Direct the respondents to recover the dead bodies from the Rangs Bhaban within 24 hours.

C) Direct the respondents to constitute an inquiry committee excluding the RAJUK people to identify the cause of the crash of Rangs Bhaban and to take legal action if any persons are liable for negligence.

D) Direct the respondents to pay compensation of taka 5 lacs for each victim who died in accident.

E) Direct the respondents to bear all the medical expenses of the victims who was injured during Rajuk Bhaban crash.

Present Status

The case was filled and moved by Advocate Manzill Murshid, President, HRPB. After hearing the parties the Hon'ble Court issued Rule Nisi upon the respondents. The matter is pending before the Hon'ble High Court Division.
