

11 July 2024

Press release

Appellate Division Directs to Maintain Status Quo and Dispose of the Matter within Two Months Regarding Mironjilla Horijon Colony

Today, the Appellate Division of the Supreme Court ordered the maintenance of the status quo in Mironjilla Horijon Colony and directed the High Court to dispose of the matter within two months.

The Appellate Division, comprising the Chief Justice of the Supreme Court of Bangladesh, delivered this order in Writ Petition No. 8119/2024 filed in the High Court against the to the Dhaka South City Corporation to stop the eviction process in Mironjilla Horijon Colony (Ward No. 33, Bangshal, Dhaka City Corporation). Subroto Chowdhury, Z I Khan Panna, Sara Hossain, Senior Advocates and Barrister Aneek R. Haque, Advocate appeared for the petitioners before the court. The three petitioners, Advocate Monoj Kumar Bhowmik, Advocate Utpol Biswas, and Advocate Aynunnahar Siddiqua, were also present. Senior Advocate Murad Reza appeared on behalf of the Dhaka South City Corporation.

Background

On 11 June 2024, the Dhaka South City Corporation attempted to evict people living in the Mironjilla Horijon Colony, and demolished 16 houses leaving people without alternative shelter or security. On 13 June 2024, three lawyers of the High Court, Advocate Monoj Kumar Bhowmik, Advocate Utpol Biswas, and Advocate Aynunnahar Siddiqui filed a writ petition in public interest challenging this illegal eviction process. After the hearing of this petition, the High Court ordered that status quo be maintained for 30 days and also issued an interim order for the DSCC to provide 'temporary shelter' in the meantime for those affected.

The DSCC did not arrange such shelter, but instead filed a Civil Petition for leave (permission) to appeal against this order of status quo for 30 days before the Appellate Division. The Chamber Judge of the Appellate Division did not pass any order and instead fixed the matter for hearing on 4 July 2024 before the Full Bench of the Appellate Division. The matter appeared in the list on that date but was not heard and was fixed for hearing on 11 July 2024.

In the meantime, despite the High Court status quo order, and pending hearing of the Appellate Division, the Additional Secretary, Chief Executive Officer, Dhaka South City Corporation issued a new order drawing attention of the Commissioner of Police, Dhaka Metropolitan Police, for management of the eviction process and deployment of a police force on 10 and 11 July 2024.

In this context, the petitioner lawyers filed an urgent application before the Hon'ble Appellate Division seeking an injunction and the Court was pleased to hear the same at 1 pm and to pass the order of status quo. This order has been verbally communicated to the Executive Magistrate Mr. Md Moniruzzaman.

It is to be noted that at 12:30 PM yesterday, some miscreants ambushed the Horijons and vandalised a temple. About 16 people were injured in the incident and were treated at Dhaka Medical College Hospital.

This eviction proceedings initiated by the DSCC not only amount to contempt of the court order, but also contradicts the National Housing Policy, the state's international treaty obligations, and the Hon'ble Prime Minister's statements on ensuring housing arrangements for homeless citizens.

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