

# The Ban Injunction on Law Secretary, BJD Chairman

By Our Court Reporter

On an application filed by Mr. Md. Fazlul Huq Mokbul, convener of proposed Bangladesh Jatiyatabadi Dal, Mr. Momtaz Ali Bhuiyan, Munsif, 1st Court Dacca on Tuesday issued notices upon Secretary, Ministry of Law and Parliamentary Affairs, Government of Bangladesh Defendant No. 1 and Chairman, Bangladesh Jatiyatabadi Dal, Defendant No. 2 to show cause within three weeks from the date of receipt of notices why Defendant No. 1 should not be restrained by an order of temporary injunction to allow the Defendant No. 2 to use the name of the plaintiff's proposed political party 'Bangladesh Jatiyatabadi Dal' and to carry out the political activities in the name of his party till hearing of this petition.

The petitioner's case was that he was a politician and organised a political party under the banner of 'Bangladesh Jatiyatabadi Dal' and prepared its constitution, declaration and other relevant papers and documents of the party for obtaining recognition from the Government. On October 28, 1973 he submitted an application with requisite papers to the Ministry of Law and Parliamentary Affairs for approval of the party in the name of Bangladesh Jatiyatabadi Dal.

His further contention was that after submitting the application he was eagerly waiting for the recognition of his party. But he did not receive any information regarding the recognition of the party from the ministry as yet.

He contended that in one morning with utter surprise he found a news item in the newspapers that a new political party named 'Bangladesh Jatiyatabadi Dal' had come into being. He rushed to the Ministry of Law and did not get any satisfactory reply from the Ministry regarding his proposed party's name. The creation of the new party in the proposed name of his party had caused irreparable loss and injuries to him as well as to other members and supporters of his party.

He claimed that Defendant No. 1 had acted most illegally and arbitrarily by allowing the Defendant No. 2 to use the name of his proposed party and thereby damaged the future prosperities of his party.

Mr. Mohammed Ali advocate along with Messrs Munshi Fakrul Islam Md. Alauddin Raqibuddin Ahmed and M. L. Bhowmik moved the petition for the plaintiff.

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