

Present : Md Hasan Zaman, Judge, Artha Rin Adalat No. 1, Dhaka

Order No.09
Dt. 23.02.2026

Today is fixed for ex-parte hearing.

The plaintiff appears by filing hazira along with a time petition for proceeding with the matter ex-parte. On the other hand, the learned Advocate for the defendant enters appearance and files a petition praying for reconsideration of this Court's earlier Order dated 08.01.2026, whereby the Written Statement (W/S) submitted by the defendant was refused to be accepted on the ground of filing beyond the stipulated statutory period. The learned Advocate for the plaintiff has perused the said petition and raises serious objection thereto.

Heard the learned Advocates for both sides at length and perused the record.

It transpires from the order sheet that the defendant had previously entered appearance and submitted the Written Statement on 08.01.2026; however, the same was not accepted by this Court due to non-compliance with the prescribed time limit. The present petition has been filed invoking the inherent and ancillary powers of this Court under section 57 of the Artha Rin Adalat Ain, 2003, seeking reconsideration of the said order in the interest of justice.

This Court is mindful of the legislative intent of the Artha Rin Adalat Ain, 2003, which aims at expeditious disposal of loan recovery matters. At the same time, it is equally settled that procedural laws are handmaidens of justice and should not be allowed to defeat substantial justice where no irreparable prejudice is caused to the opposite party. The defendant has demonstrated bona fide intention to contest the suit on merit and has already submitted the Written Statement. Denial of opportunity to defend may result in serious civil consequences.

Considering the facts and circumstances of the case, and in order to secure the ends of justice without causing undue prejudice to the plaintiff, this Court finds it just and proper to reconsider the earlier Order dated 08.01.2026.

Accordingly,

It is hereby Ordered

That the petition filed by the defendant for reconsideration is allowed subject to payment of cost of Tk. 2,000/- (Taka Two Thousand).

The Order dated 08.01.2026 is hereby recalled and reconsidered in exercise of power under section 57 of the Artha Rin Adalat Ain, 2003, and the Written Statement filed by the defendant is accepted on record.

To-----

T/C by me

Md Hasan Zaman
Judge
Artha Rin Adalat-1
Dhaka

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