

Artha Jari 1080 of 2025

Order-

Date- 09/04/2026

The record is taken up for hearing of an application filed by the Decree Holder Bank under **Order XXXVIII Rule 5 of the Code of Civil Procedure, 1908**, read with **Section 57 of the Artha Rin Adalat Ain, 2003**, praying for **attachment before judgment** of the scheduled bank account standing in the name of Defendant No. 1.

Heard the learned Advocate for the Decree Holder. Perused the application, Jari petition, affidavit, firisti, and the documents annexed thereto. Considered the materials on record.

It appears that the present execution case has been initiated for realization of a decretal amount of Tk. 4,33,936/- (Taka Four Lac Thirty-Three Thousand Nine Hundred Thirty-Six only) as on 09.03.2025 against the judgment-debtors. The petitioner has contended that despite the decretal dues being comparatively small, the judgment-debtors have been adopting dilatory tactics to frustrate the execution proceedings. It has further been submitted that there exists no sufficient security against the loan and that the judgment-debtors are habitual defaulters.

It is further revealed that Defendant No. 1 maintains a **bank account being No. 1151440119405 with Eastern Bank PLC, Bashundhara Branch, Dhaka**, jointly with one Md. Mohammad Ruhul Amin. The apprehension expressed by the Decree Holder is that the said Defendant may withdraw, transfer, or otherwise alienate the money lying in the said account with a view to defeating the execution of the decree.

Upon careful consideration of the application, supporting affidavit, and the documents on record, this Court finds that a **prima facie case** has been established. The apprehension of the Decree Holder appears to be reasonable and not without basis. If the Defendant No. 1 is permitted to deal with the said account freely, there is every likelihood that the decree of this Court may be rendered infructuous, causing irreparable loss and prejudice to the Decree Holder.

Considering the urgency and in order to protect the ends of justice, this Court deems it fit and proper to pass an interim order.

Hence

It is Ordered that

1. Let a **show cause notice** be issued upon Defendant/Opposite Party No. 1, directing him to show cause within **Ten (10) days** from the date of receipt of the notice as to why the scheduled bank account shall not be attached before judgment under Order XXXVIII Rule 5 of the Code of Civil Procedure.
2. **In the meantime**, as an interim measure, Defendant No. 1 is hereby restrained from withdrawing, transferring, encumbering, or otherwise alienating any amount lying in **Account No. 1151440119405 maintained with Eastern Bank PLC, Bashundhara Branch, Dhaka**, until disposal of the show cause or further order.
3. The concerned Bank, namely Eastern Bank PLC, Bashundhara Branch, Dhaka, is hereby **directed to maintain status quo** with respect to the said account and not to allow any transaction therein, except with prior permission of this Court.
4. The plaintiff/Decree Holder is directed to file **requisites within two (02) days**, failing which this application shall stand rejected without further reference.
5. Issue notice accordingly.

Fix for return of notice and further order.

Let the order be communicated at once to all concern.