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Hearing of writ challenging DU closure resumes

DHAKA, Nov 6 (BSS): The hearing of the writ petition challenging the "unscheduled and abrupt closure" of Dhaka University resumed today before a Division Bench comprising Mr. Justice Mohammed Abdul Jalil and Mr. Justice Kazi Shafiuddin of the High Court Division of the Supreme Court of Bangladesh.

Dr. Kamal Hossein, submitting for the petitioner, said the impugned Ordinance was anti-dated, ex post facto law and was tantamount to fraud upon the Constitution. He also submitted that the spirit and letters of the Ordinance and the thing sought to be done were at variance. He contended that the said Ordinance contemplated internal disturbances of the university but the order passed in pursuance of the Ordinance sought to control certain circumstances absolutely extraneous to the affairs of the university.

He further submitted that the nature of the order closing the University ipso facto suggests that when the said order of closure of the university was issued the Ordinance was not in existence in so far as under the order the university was closed sine die, but the Ordinance contemplated a closure of thirty days only.

Syed Ishtiaq Ahmed also opened his submission for the petitioner before the court.

Dr. Kamal Hossein was assisted by Barrister Amirul Islam, Barrister Moinul Hosein, Mahmudul Islam and others while Barrister Rafique Haq, Attorney General, Abdul Wadud Bhuiyan, Additional Attorney General, were present on behalf of the Government.