

3 WRIT PETITIONS WITH SC AGAINST IAJUDDIN, EC

CJ's unprecedented stay order before ruling sparks violence

STAFF CORRESPONDENT

In an unprecedented move, the chief justice yesterday stayed the proceedings of writ petitions challenging the legality of the president's taking over as chief adviser and his "unilateral" decisions, just minutes before a High Court bench was supposed to issue a ruling on them.

Shocked by the order, lawyers and those who were present in the courtroom burst into anger and vandalised different sections of the Supreme Court (SC) and set fire to the vehicle of former state minister for law Shahjahan Omar.

Hearing the matter for two days, the High Court (HC) bench yesterday decided to pass a ruling at 2:00pm. But as the court sat, Attorney General AJ Mohammad Ali handed the stay order to the HC bench at 2:15pm.

The bench read out that Chief Justice Syed JR Mudassir Husain has stayed further proceedings of the writ petitions and left the court-



Angry protesters torch the vehicle of former state minister for law Shahjahan Omar on the Supreme Court premises yesterday after the chief justice stayed the proceedings of three writ petitions on the legality of the president's taking charge as chief adviser, his 'unilateral' decisions, and announcement of polls schedule.

room.

Legal experts said no incident ever took place in the history of the HC in which the chief justice issued a stay order before the bench even admitted a petition. The chief justice can only stay a case after the HC bench issues any ruling, they said.

Even if a stay order is to be issued, it was to come from the chamber judge, not the chief justice, explained constitution expert Dr Kamal Hossain.

Accusing the chief justice of violating his oath and the constitution, the leaders of Supreme Court Bar Association (SCBA) announced an indefinite agitation programme from Sunday to force removal of the chief justice and attorney general.

Amidst the chaos, all judges shut themselves inside their offices fearing an escalation of the violence.

Protest against the chief justice's order was also voiced from

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KHALEDA'S REMARKS

Advisers hit back, say they talk to press for free polls

STAFF CORRESPONDENT

Denouncing former prime minister Khaleda Zia's remark that the advisers to the caretaker government are working to thwart free and fair election, advisers yesterday said their talks with the press aim at holding a free and fair general election.

They neither breached their oath nor are hatching any conspiracy, said the advisers, adding that the latest formula placed by noble laureate Professor Muhammad Yunus will be acceptable only if the political parties agree.

"We are not breaking the oath

that we took one month ago. I have no comments on the political leaders' speeches," Finance and Planning Adviser M Akbar Ali Khan said replying to a question about Khaleda Zia's remarks on the advisers' activities, especially talking to the press.

Freedom of speech is a citizen's right as per the constitution of the country and the advisers will continue their work following the constitution and law, he said.

Asked about the formula placed by Prof Yunus, he said the formula is a good one but without acceptance by the political parties it will

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POLL SCHEDULE
EC now waits for political consensus

STAFF CORRESPONDENT

The Election Commission (EC) now expects a political consensus on the election schedule it declared on Monday dashing the hope for a peaceful resolution of the dispute.

Apparently intent on holding the next parliamentary election on January 21, it however will not take any step on its own, rather will wait for the president/chief adviser, who had reportedly made the EC unveil the schedule surreptitiously.

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Khaleda blames AL for court vandalism

STAFF CORRESPONDENT

BNP chairperson Khaleda Zia yesterday condemned vandalism at the Supreme Court (SC) and blamed Awami League for the incident. She demanded punitive action against the perpetrators.

"Pro-Awami League lawyers attacked the chief justice's office, vandalised offices at Supreme Court, torched cars and swooped

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Chief justice violated constitution: Dr Kamal

STAFF CORRESPONDENT

Chief Justice Syed JR Mudassir Husain has not only violated the constitution but also tarnished the image of the Supreme Court by staying the proceedings of writ petitions before issuance of ruling, said eminent jurist Dr Kamal Hossain yesterday.

He breached his oath to uphold the constitution, Kamal said, urging the lawyers' community of 30,000 members and the countrymen to boycott the chief justice and uphold the constitution and the judiciary.

"By issuing the stay orders today (yesterday), the chief justice has placed hurdles on the path to justice," he said, addressing a press briefing of the Supreme Court Bar

Association (SCBA) at the Jatiya Press Club in the evening.

Demanding chief justice's resignation, Dr Kamal said he [CJ] has seriously injured the Supreme Court like a father cutting the throat of his son, as it was his duty to protect the law.

"The chief justice should be charged for contempt of the constitution and the Supreme Court," he said, adding, "He did it very irresponsibly, may God pardon him."

He said the chief justice passed the order sitting at his residence without consulting the petitioners' lawyers. The stay orders did not have any official seal or proper documents attached to it, he observed.

After hearing the stay order, Dr

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14-PARTY REACTION TO HC STAY ORDER It tainted rule of law, liberty of judiciary

STAFF CORRESPONDENT

The Awami League (AL)-led 14-party alliance yesterday strongly protested and condemned the incident of vandalism at the High Court, saying that it has tainted the rule of law, liberty of judiciary and dignity of the highest court.

"Sensing that the judgement of the court would go against President Iajuddin Ahmed, the

chief justice (CJ) postponed the hearing of the writ petition on president's taking over as chief adviser (CA)," said 14-party coordinator Abdul Jalil at a press briefing at AL's Dhanmondi office in the capital.

The decision of the chief justice to postpone the hearing of one of the petitions when the court was going to deliver judgement is

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Bhuiyan says violence mars country image

STAFF CORRESPONDENT

BNP Secretary General Abdul Mannan Bhuiyan yesterday strongly condemned the attack and vandalism committed by lawyers loyal to 14-party alliance on High Court (HC) premises, saying such unprecedented acts tarnished the country's image throughout the world.

"I can not find any appropriate word to condemn such a heinous act, Bhuiyan said, demanding punitive action against those

responsible for the vandalism and claiming the 14-party had been trying to destroy the country's institutions.

He said the 14-party alliance was now disobeying the chief justice. Earlier it disobeyed the president, the chief election commissioner and parliament, Bhuiyan alleged.

However, the BNP secretary-general did not rule out a dialogue with the 14-party alliance despite the volatile political climate. "We

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JCD, BCL gunfight on DU campus

DU CORRESPONDENT

At least 10 cocktails were exploded and 15 gunshots were fired during a skirmish between Jatiyatabadi Chhatra Dal (JCD) and Bangladesh Chhatra League (BCL) on Dhaka University (DU) campus yesterday.

Witnesses said the two feuding

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Businesses for urgent steps to end stalemate Top business leaders meet Iajuddin

STAFF CORRESPONDENT

Top business leaders of the country yesterday urged the president, also the chief adviser (CA), to urgently resolve the prevailing political stalemate to prevent the 14-party from enforcing its blockade

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Nafees ton, 9-wicket victory

BISHWAJIT ROY from Khulna

Opener Shahriar Nafees struck his third consecutive hundred against his happy-hunting team as Bangladesh got off to a flying start in the five-match one-day international series against Zimbabwe with a thrashing nine-wicket victory here at the Khulna Divisional Stadium yesterday.

Although the left-hander came to the spotlight after his unbeaten 105, there were two others --

Mohammad Rafique and Aftab Ahmed -- who also had their achievements in the one-sided match in front of an almost capacity crowd.

Rafique took exactly two wickets to become the first Bangladeshi to claim 100 wickets in the shorter-version of the game and partnered with two young fellow left-arm spinners Abdur Razzak (4-33) and Sakib Al Hasan (2-30) to restrict the Zimbabweans to 184-9 in the allotted 50 overs the home side were

asked to field first.

On the other hand, dashing Aftab and man-of-the-match Nafees both crossed thousand runs in one-day cricket during an unbeaten 114-run stand for the second wicket to empower the Tigers to 186-1 in 45.3 overs.

Bangladesh vice-captain Nafees continued his amazing form against the southern African rivals with a well-crafted innings that featured 13 fours and an over

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You just can't stop smiling!



see inner page

Growing possibilities . . . 1 more step towards that . . .

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