

**THE DHANMANDAI RESIDENTIAL ZONE
(TERMINATION OF LEASE) ORDINANCE, 1959**

ORDINANCE NO. LXXVI OF 1959

[7th December, 1959]

WHEREAS the Government have leased out plots of Dhanmandai Residential Area to the tenants on terms and conditions set forth in the Standard Agreement for Dhanmandai Residential Area;*

AND WHEREAS it is provided in the Indenture of Agreement executed by the tenants that the construction of houses, out-houses and appurtenances on the demised property shall be made within 2 years from the date of commencement of the lease or within such further time as the Government may allow in its discretion;

AND WHEREAS it is further provided that on the failure of the tenant to complete the construction of house, out-houses and appurtenances within the aforesaid period or within such time as the Government may allow, the lease shall be liable to be terminated by the Government and on such termination, the tenant shall surrender the demised property to the Government forthwith;

AND WHEREAS some such tenant has obtained allotment of more than one plot in the name of his wife, husband or children;

AND WHEREAS it is expedient to remove any doubt as to the power of the Government to terminate any such lease and to take over possession of the demised property for failure of the tenant to complete the construction within the period stipulated in the Indenture of Lease and for allotment of more than one plot in the family;

NOW, THEREFORE, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor

* Throughout this Ordinance, the word "Government" was substituted for the words "Provincial Government" by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

of East Pakistan is pleased to make and promulgate the following Ordinance, namely:-

Short title and commencement

1. (1) This Ordinance may be called the Dhanmandai Residential Zone (Termination of Lease) Ordinance, 1959.

(2) It shall come into force at once.

Bar to jurisdiction of Civil Courts

2. When the Government terminates any lease in respect of any plot in the Dhanmandai Residential Area, on the failure of the tenant to complete the constructions of the houses, out-houses and appurtenances within the period stipulated in the Indenture of Lease and for allotment of more than one plot in the family and takes possession of the same, no suit or proceeding of any kind whatsoever shall lie or be proceeded with in any Court to challenge the validity of any such order of termination of the lease and taking over possession of the demised property on the termination of such lease.

Explanation.- 'Family' means husband, wife and children.
