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Research Monograph

On

‘Separation of Judiciary and Judicial Independence in Bangladesh: An Appraisal''

Research Paper submitted in partial fulfillment of the requirements of the Bachelor of Laws with Masters (LLM) under Sonargaon University

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LETTER OF TRANSMITTAL

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To

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Subject: Submission of Research Monograph on "Separation of Judiciary and Judicial Independence in Bangladesh: An Appraisal"

Sir,

It is a great pleasure for me to submit the research monograph on the topic of **"Separation of Judiciary and Judicial Independence in Bangladesh: An Appraisal"** "while researching I tried my best to make this research monograph to enough standard. I hope that this paper will fulfill your expectation.

I therefore, hope that you be kind enough to go through this paper or evaluation.

Yours sincerely,

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The views and opinion expressed in this research are absolutely mine except those,

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SUPERVISOR CERTIFICATION

This is to certify that, the thesis on **"Separation of Judiciary and Judicial Independence in Bangladesh: An Appraisal"** has been conducted **by MD .DODAEB RAHMAN,** LLM2402031014 in partial fulfillment of the requirements for the Master of Laws (LLM) from Sonargaon University (SU). The thesis has been conducted under my benevolent guidance and supervision and is recorded as a bona fide work carried out successfully.

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All praises be to ALLAH (SWT) who sustained my life in good health and sound mind throughout my entire study period in this country.

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ABSTRACT

One of the primary objectives for which a state was established in the society was the creation and protection of individual's rights. But an independent organ as the means through which this object might be accomplished has been recognized and existed from early times. This Independent organ is judiciary. Independence of judiciary is the indispensable of a democratic government. And separation of judiciary is the precondition of the sound and independent judiciary. Since the beginning of the British colonial rule the question of separation of judiciary from the executive has been a continuing debate, though Bangladesh has past thirty seven years of its independences, she has fail to separate the judiciary from the executive. Today it is a burning question of our country. This report attempts to explore to what extent initiatives, have been taken to separate the judiciary from the executive and what are the obstacle available to implement the initiative, in this path. I have also discussed in briefly the conceptual side and lastly concluded with some recommendation, so that policy of separation of judiciary from executive would be effective and helpful for the policy makers and implementations. The paper is based on the secondary source of information, like books, journals, newspapers and research reporting a democratic state, the powers rests the three separate organs, namely the executive, the legislature, and the judiciary. The constitution of Bangladesh vests the executive power to the executive, the legislative power to the parliament. Judiciary redress the grievances of the people and resolves dispute. In Bangladesh the judicial norms and practice have been derogating for years.

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