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In the Name of Allah, the Most Merciful, the Most Compassionate

Islamic Emirate of Afghanistan

Supreme Court

General Directorate of Secretariat

Correspondence Department

Circular Section

Circular No: 11

Date: 20 September 2023 (1445/3/5)

To: The Officials of the Directorates of Cassations, Divisions, Appellate, and Primary Courts of the Islamic Emirate of Afghanistan!

May Peace and Mercy and Blessings of Allah be Upon You!

The session of the High Council of the Supreme Court of the Islamic Emirate of Afghanistan was held under the chairmanship of the Chief Justice and the Head of the Supreme Court on 07 August 2023, and the 16th issue of the session was as follows:

The inquiry of some courts are as follows: some people refer to the courts or Deeds' courts to appoint an advocate to pursue a lawsuit that the court has not received; now the question is that: in the cases where the lawsuit is not available in the court, can the courts or Deeds' court prepare and issue power of attorney for a person?

The High Council of the Supreme Court, based on Decision No. 16 of Approval No. (2) dated 07 August 2023, provided the following guidance:

In order to prepare and issue a power of attorney, the existence of a lawsuit in the court is not a prerequisite condition, but rather, when the clients request for power of attorney, the courts and deeds' courts prepare and issue a power of attorney based on the provisions and guidance of Circular No. (7) dated 12 August 2023, of the General Directorate of the Secretariat of the Supreme Court, but if they see the deception, the relevant court should ask the guidance of the Supreme Court.)

Therefore, the above-written guidance of the High Council of the Supreme Court has been sent to all relevant Directorates of Cassations, Divisions, Appellate, and Primary Courts of the Islamic Emirate of Afghanistan so that their activities and proceedings shall be carried out accordingly.

Respectfully,

Mufti Abdul Rasheed Saeed
Head of Supreme Court High Council Secretariat

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