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**Islamic Emirate of Afghanistan**  
**Supreme Court**  
**General Directorate of Secretariat**  
**Correspondence Department**  
**Circular Section**

Circular No: 30

Date: 1444/3/29 AH – 25/October/2022

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**To:** Officials the Directorates of Cassations, Diwans, Appeal and Primary Courts of the Islamic Emirate of Afghanistan

May peace, mercy, and blessings of Allah be upon you!

And then, the High Council of the Supreme Court held a meeting on 1444/3/23 AH - 19/October/2022 under the chairmanship of His Excellency Sheikh Abdul Hakim al-Haqqani, the Chief Justice that the sixth subject matter of the meeting agenda was as follows:

(The provision of part (3) of circular number (14) dated (1444/3/4) AH - 30/September/2022 of Supreme Court High Council Secretariat was as follows: (the order to implement the final decision is issued through Court of Cassation and the General Directorate of Cassation will assign the enforcing authority to which the decision is sent for implementation. The reason why the implementation is delayed will be reviewed.)

Therefore, what action should be taken regarding preventing delay in the (implementation of final decisions by the Cassation Court?))

The High Council of the Supreme Court provided the following directions in this regard according to decision number (6) of resolution number (11) dated 1444/3/23 AH – 19/October/2022:

((The decisions of primary, appellate, and military courts that are final in the primary or appellate stages should not be sent to the Cassation Court for obtaining implementation orders; instead, they should implement them. Because the final decisions have no Cassation, it is not useful to send them to Cassation to be reviewed for the purpose of implementation, and, as a rule, the Cassation cannot review them. On the other hand, it will cause delays in the implementation of the final decisions.

Note: Implementing final decisions due to the expiration of their time is not the responsibility of primary and appellate courts. The General Directorate of Cassation will issue the implementation order of the decisions if it considers them enforceable.))

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Therefore, the decision number (6) of the above resolution of the High Council of the Supreme Court has been relayed to all relevant Directorates of Cassations, Divisions, Appellate, and Primary Courts through this circular so that the legal and Sharia proceedings will be made in accordance with the aforementioned direction.

Respectfully,

Mufti Abdul Rasheed Saeed  
Director of the Secretariat  
The Supreme Court