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

Circular No: 14

Date: 1445/3/30 AH - (15/October/2023)

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

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

On 4 October 2023 (1445/3/19 AH), the High Council of the Supreme Court, under the chairmanship of His Excellency Sheikh Abdul Hakim al-Haqqani, Chief Justice and head of the Supreme Court, convened its sixth meeting of the year 2023 (1445). The sixth agenda item discussed was as follows:

"The Commission for Prevention of Land Usurpation and Restitution of Usurped Lands submitted requests via letters No. (637/461) dated 21 August 2023 (1445/2/5 AH), No. (959/680) dated 3 September 2023 (1445/2/18 AH), and No. (1209/831) dated 16 September 2023 (1445/3/1 AH), outlining the following issue: Technical teams in the provinces are seeking information from the appellate courts regarding the authenticity and correctness of certain deeds, documents, and letters concerning deceased estates. However, some appellate courts have refrained from providing information to these teams, citing Circular No. (1) dated 7 August 2022 (1444/1/9 AH) from the Supreme Court High Council Secretariat.

Given that the third paragraph of the second article of the Commission's statute mandates comprehensive cooperation from the head of the Supreme Court High Council Secretariat and the head of the Administrative Office of the Islamic Emirate of Afghanistan in fulfilling the Commission's tasks, and the seventh article explicitly requires provincial governors, district governors, and officials of ministries and entities of the Emirate to fully cooperate with the Commission and its technical teams in identifying and determining usurped emirate (Sultani) lands, public pastures, and endowments, the Commission requested that all courts be directed to provide comprehensive cooperation to the technical teams of the Commission for Prevention of Land Usurpation and Restitution of Usurped Lands in the provinces.

In response, the High Council of the Supreme Court, through decision No. (6) of resolution number (7) dated 4 October 2023 (1445/3/19 AH), directed as follows:

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'Technical teams of the Commission for Prevention of Land Usurpation and Restitution of Usurped Lands in all provinces should formally request information from the appellate court of the respective province concerning the reserved records of deeds, and the appellate courts are instructed to provide information only about these reserved records to the mentioned technical teams.'

Furthermore, it is specified that the Commission for Prevention of Land Usurpation and Restitution of Usurped Lands should seek information regarding the validity and authenticity of these deeds.

Consequently, this written directive from the High Council of the Supreme Court has been communicated to the Directorates of Cassations, Divisions, Appellate, and Primary Courts after endorsement by the Supreme Leader of the Islamic Emirate of Afghanistan through this circular. This is to ensure that legal and Sharia proceedings are conducted in accordance with the aforementioned guidance.

Respectfully,

Mufti Abdul Rasheed Saeed  
General Directorate of the Secretariat  
Supreme Court