

## **IN THE SUPREME COURT OF PAKISTAN**

(Original Jurisdiction)

### **Present:**

Mr. Justice Anwar Zaheer Jamali  
Mr. Justice Khilji Arif Hussain  
Mr. Justice Amir Hani Muslim

### **Human Rights Case No.12271-S/2010**

(Complaint by Mst. Ameer Zadi)

Complainant : Ameer Zadi in person

In attendance : Mr. Adnan Karim Memon, Assistant A.G. Sindh.  
Mr. Ali Sher Jakhrani AIG Legal.  
Mr. Niaz Ahmed Khosa SP/AVCC.  
Mr. Ghulam Muhammad Bhutto, Registrar University of Sindh.

Date of hearing : 16/08/2013.

### **ORDER**

Pursuant to the orders of this Court, Mr. Ghulam Muhammad Bhutto, Register, claiming to be the Registrar of the Sindh University, has put in appearance and has informed that Mohammad Nawaz Narejo, who was required to appear has been transferred from the office of Registrar on 03.08.2013 and has been appointed as Advisor (Planning) of Sindh University and in his place Mr. Bhutto has been appointed as Registrar. This Court has repeatedly directed appearance of Mohammad Nawaz Narejo, the then Registrar of Sindh University, but for one or the other reasons, he managed to avoid appearance and now it is claimed that since the order which was passed on 17.07.2013 requiring appearance of the Registrar, therefore, he being the Registrar has put in appearance. We are surprised to notice the conduct of the Vice Chancellor, Sindh

University, who after the orders of this Court has transferred him. Once this Court has ordered appearance of Mohammad Nawaz Narejo the then Registrar, against whom there are serious reservations of the complainant and it is claimed that he patronized Ghulam Rasool Narejo, the accused in these proceedings and has failed to take action against Mohammad Haq Nawaz Narejo and Rab Nawaz Narejo, employees of the Sindh University though they were absent from their duties since months altogether. On intervention of this Court Mohammad Nawaz Narejo the then Registrar by his letters dated 22.04.013 terminated their services. In this regard on 14.05.2013 this Court has passed the following order:-

*"Mr. Niaz Ahmed Khosa, S.P., C.I.A/Anti Violent Crime Cell, Karachi has submitted his report, which is taken on record. It seems that two of the nominated accused namely Mumtaz Ali Narejo and Ghulam Rasool Narejo are still absconding. Mr. Niaz Ahmed Khosa is, therefore, directed to take all possible measures for their arrest so that they may face judicial proceedings in accordance with law. Two Office Orders dated 22.4.2013 regarding termination of services of Haque Nawaz Narejo, Security Guard and Rab Nawaz Narejo, Junior Assistant Librarian, University of Sindh, Jamshoro have been placed on record, which show that despite their absence from duty from 6.9.2009 and 28.4.2009, no appropriate action was taken by the Registrar, University of Sindh against them and it is only when order in this regard has been passed by this Court on 10.4.2013 that such long awaited action has been taken against them. In this regard Registrar, University of Sindh is, therefore, required to be present in Court alongwith original record to show upto what period the two absconding accused, now in custody, were paid salaries and other emoluments despite their long absence from the duty.*

2. *Mr. Manzoor Hussain Soomro brother of Abrar Ahmed Soomro, alleged abductee submit that after the removal of above named two accused persons from the service of University of Sindh son of one of the alleged accused Rab Nawaz Narejo has been appointed in the University of Sindh and all this has happened at the behest of the Registrar of the University, who is all along patronizing the accused party. Registrar, University of Sindh is also directed to answer this query.*

3. *Hearing of this human rights case is adjourned to a date after three weeks, whenever a Bench is available at Karachi."*

2. The matter was fixed on 17.07.2013, when Mohammad Nawaz Narejo did not appear and a specific order for his appearance was passed, which reads as under:-

*"It seems that office has failed to issue notice to the Registrar of University of Sindh as contemplated in our earlier order dated 14.5.2013. Let such notice be issued to him through D.P.O Jamshoro for his personal appearance in terms of above referred order. Office to relist this case in the next session."*

3. After this order, DPO Jamshoro must have informed him and in his place Mr. Ghulam Mohammad Bhutto has put in appearance claiming that on 03.08.2013, he became the Registrar, therefore, Mohammad Nawaz Narejo has not appeared, who was transferred by the Vice Chancellor and presently holding the office of Advisor (Planning) of Sindh University.

4. We are of the tentative view that order of transfer after order of this Court, which was passed on 17.07.2013 does not preclude him from appearing in the Court when there are serious allegations against him and he is patronizing the accused persons by extending them favours in getting their brothers/sons employed in the University. After this order of 17.07.2013, the Vice Chancellor ought to have refrained from transferring him to some other office, when this Court has directed him to appear in person.

5. Under these circumstances, we are compelled to direct the Assistant Advocate General Sindh and Mr. Ali Sher Jakhrani AIG (Legal) to procure the attendance of Vice Chancellor Sindh University as well as Mohammad Nawaz Narejo the then Registrar in Court by tomorrow at 10:00 AM, on which date the learned Advocate General Sindh shall also be in attendance. The entire record of the University pertaining to the appointment of relations of the accused Ghualm Rasool Narejo shall be placed before the Court. Copies of this order be faxed to the Advocate General Sindh, Mr. Ali Sher Jakhrani AIG

(Legal) and Vice Chancellor Sindh University for their information and immediate compliance.

JUDGE

JUDGE

JUDGE

**Karachi.**

**In the Supreme Court of Pakistan**  
(Original Jurisdiction)

**Present:**

Mr. Justice Anwar Zaheer Jamali  
Mr. Justice Khilji Arif Hussain  
Mr. Justice Amir Hani Muslim

**H.R.C. No.12271-S of 2010**

Complainant: In person alongwith her son Manzoor Ahmed

On Court notice: Mr. Khalid Javed Khan, Accountant General, Sind  
Mr. Adnan Karim, Asstt. Advocate General, Sind  
Dr. Nazir Mughal, Vice Chancellor, University of the  
Sindh, Jamshoro.  
Mr. Muhammad Nawaz Narejo, former Registrar  
University of the Sindh, Jamshoro.  
Mr. Ghulam Muhammad Bhutto, Acting Registrar,  
University of the Sindh, Jamshoro.  
Mr. Ali Sher Jakhrani, AIGP (Legal)  
Dr. Wasi Hyder Shah, DPO/SSP, Jamshoro.

Date of hearing: 17.8.2013

**Order**

In response to our earlier order passed yesterday, the worthy Vice Chancellor, University of Sindh, Jamshoro Dr. Nazir Mughal, is present in Court, so also Mr. Muhammad Nawaz Narejo, former Registrar, University of Sindh. The latter is directed to submit his reply to the allegations leveled against him as regards harbouring and protecting the two employees of the University, namely, Rab Nawaz Narejo and Haq Nawaz Narejo, despite being not only involved in F.I.R. No.314 of 2009 under sections 364/506-B/34 PPC, but also they being convicted in the said crime. The Vice Chancellor, University of the Sindh shall also submit his reply explaining the circumstances for justifying transfer of Registrar, Mr. Muhammad Nawaz Narejo, in the month of August, 2013, before the fixation of this case for hearing before us, when there were specific directions for his personal appearance in the Court in the matter, as such action on his part, *prima-facie*, seems to be colourful

exercise of his authority to obstruct the course of justice. Office is directed to re-list this case in the next Session.

2. At this stage, complainant and her son Manzoor Ahmed have filed a written request for protection due to fear to their lives at the hands of Narejo tribe. The application is taken on record with directions to the Advocate General and the concerned police officers to ensure the safety of the complainant and her son.

Judge

Judge

Judge

Karachi,  
17<sup>th</sup> August, 2013  
Not approved for reporting.  
Riaz

**In the Supreme Court of Pakistan**  
(Original Jurisdiction)

**Human Rights Case No.39604-S of 2012**

(News clipping Daily Dawn dated 27.11.2012  
Two Jirgas decide fate of four girls)

For the complainant: Nemo.

On Court notice: Mr. Adnan Karim, Asstt. A.G. Sindh  
Mr. Ali Sher Jakhrani, AIGP( Legal)

Date of hearing: 16.3.2013

**Order**

**Anwar Zaheer Jamali, J** – Mr. Ali Sher Jakhrani, AIGP (Legal) has placed on record fresh report dated 16.8.2013, submitted by Senior Superintendent of Police Shikarpur, which is accompanied with some photographs and other documents. The perusal of this report reveals that spirit of the order dated 1.3.2013 is being maintained, as regards the three minor girls.

2. This being the position, this human rights case is disposed of with the observation that as far as possible the care of three minor girls be taken till they attained puberty and/or get married as per their own wishes and wishes of their parents.

Judge

Judge

Judge

Karachi,  
16<sup>th</sup> August, 2013.  
Riaz