

**SUPREME COURT OF PAKISTAN**  
(Original Jurisdiction)

**PRESENT:**

Mr. Justice Gulzar Ahmed, CJ  
Mr. Justice Mazhar Alam Khan Miankhel

**CIVIL MISC. APPLICATION NO.4821 OF 2018**  
[For implementation of the judgment in Suo Moto No.1 of 2014]

**IN**  
**S.M.C NO.1 OF 2014**

*Human Rights Commission of Pakistan  
through Chairperson, Dr. Mehdi Hasan  
and others.*

*...Applicant(s)*

*Versus*

*Federation of Pakistan through Ministry  
of Education and others*

*...Respondent(s)*

**In attendance**

: Mr. Shumail Ahmed Butt, Advocate  
General, KP  
Mian Shafaqat Jan, Additional  
Advocate General, KP  
Mr. Atif Ali Khan, Additional  
Advocate General, KP  
Moazam Jan Ansari, I.G. KP  
Ikram Ullah Khan, Sectary Home,  
KP  
Muhammad Javed, Commissioner,  
Kohat  
Shafi Ullah Khan, DPO, Kohat  
Tahir Ayub Khan, RPO, Kohat  
Mr. Shoaib Suddle, Chairman, One  
man Commission  
Dr. Ramesh Kumar, MNA  
Rohir Kumar, Deputy  
Administrator, Karak Mandar from  
Hindu Community  
Samual Payar, Chairman, IMRF  
Muhammad Saqib Jillani, Member  
of One man Commission  
(via video link from Lahore)

Date of Hearing : 13.10.2021

**ORDER**

The matter regarding desecration, damaging and  
destroying the Hindu Samaadhi at Teri was firstly addressed by

this Court vide its order dated 05.01.2021 and in para-6 of the said order, the Court has specifically noted and also directed the Khyber Pakhtunkhwa Government to recover the cost of the rehabilitation of Samaadhi at Teri from those who are responsible in causing its destruction. Although criminal cases have been registered against those miscreants/accused but through an agreement with the Hindu Community and with the consent of the Hindu Community all the miscreants/accused have been granted bail in the criminal cases, however, so far no recovery seems to have been effected from them.

2. Learned Advocate General, KP states that the recovery can be made after the amount is adjudicated against the miscreants/accused. We are informed that there are 123 persons identified and charged for causing of desecration and destruction of Hindu Samaadhi at Teri and a cost of Rs.33.0669 million has been incurred in restoration and reconstruction of the Samaadhi at Teri. All this costs would have not been incurred by the Khyber Pakhtunkhwa Government had the Samaadhi not been desecrated and destructed by the miscreants/accused. As the miscreants/accused have been well identified and also been charged and there is a possibility that they might again create issues with the Hindu Community, they are to be burdened with the cost of reconstruction and rehabilitation of the Samaadhi and thus, the Chief Secretary, Government of KP is directed to recover from all the miscreants/accused the above amount of Rs.33.0669 million, dividing the said amount on each of the miscreants/accused and recover it as the arrears of Land Revenue

from them. Such recovered amount from the miscreants/accused shall be utilized for the future maintenance and up-keep of the Samaadhi. This shall be done by the Chief Secretary, Government of KP within a period of one month from today.

3. Adjourned to a date after one month.

CHIEF JUSTICE

Bench-I  
Islamabad  
13.10.2021  
'NOT APPROVED FOR REPORTING'  
Rabbani/\*

JUDGE