

[PROVISIONAL TRANSLATION FROM PERSIAN]

[Translator's notes appear in square brackets]

[Personal information has been **redacted**.]

Judgment

[Date:] 3 Dey 1375 [23 December 1996]

Special [Court for] Article 49

[Emblem]

Islamic Revolutionary Court

Number: [Illegible]

Enclosure:

On --- Mehr 1375 [September 1996], Branch 16 of the Islamic Revolutionary Court of Tehran held a session presided over by the undersigned to examine the case reference number 54496/M/63 with respect to the petition of Mrs. Nahid Enayati, the daughter of Hagnazar, based on her objection to the [court's] judgment number 26204 dated 6 Mehr 1372 [28 September 1993]. The court, after reviewing the total contents of the case file, announced the termination of the proceedings and will explain and render its decision in the future

The Decision of the Court

Based on the records of the case file, on 20 Azar 1370 [11 December 1991], the then superintendent of the Unit of Enforcement of Judgments requested the honourable head of the Islamic Revolutionary Courts of Tehran to determine his assignment with respect to a few properties, including a house located on the street [**redacted**] that belongs to the Enayati family. Based on the amended judgment number 26204, dated 21 Mehr 1371 [13 October 1992] and 29 Shahrivar 1372 [20 September 1993] the opinion [of the court] was expressed on this matter and on 6 Mehr 1372 [28 September 1993], the honourable head of Branch 1 stated the following:

The issued judgment is religious and according to the fundamental principles [of Islam], is final and enforceable. The Unit of Enforcement of Judgments of the Office of the Islamic Revolutionary Prosecutor of Tehran should take the necessary action (P 264). Recently, Mrs. Nahid Enayati was present at the Enforcement of the Judgment [hearing] and stated, "I went to the United States on 26 Ordibehesht 1373 [16 May 1994] and returned on 22 Farvardin 1374 [11 April 1995]", and has requested that the provisions of the above mentioned judgment not be enforced in her case; [she] owns five out of six parts of a house located on the street [**redacted**].

The case file was referred on behalf of the honourable judge of Branch 10, to the honorable chief justice of the courts [for implementation] of Article 49 [of the Constitution]. After reflecting on the

follow-ups and actions taken, and inquiring with the Executive Headquarters of the Imam (RA) [Imam Khomeini], it was determined that the property with registration number [redacted], with an area of 255 square meters, was acquired with an official document by the Executive Headquarters [of the Imam] on 25 Khordad 1373 [15 June 1994] and the Executive Headquarters [of the Imam], as the owner, sold the property to Revolutionary Guard Colonel Mohammad Sadegh Ashk Talkh. The official document was issued in his name and he awaits the evacuation of the house.

“Considering the contents of the case file and the actions taken, the matter which is to be reflected upon is the evacuation of the property and not the enforcement of the court’s judgment, and the issue of whether or not Mrs. Nahid Enayati is in Iran is subordinate to the main case; therefore, subject to the approval of Hojjatol-Islam val Moslemin, His Honourable Nayyeri, the chief justice of the Special Courts, and the judgment dated 16 Shahrivar 1368 [7 September 1989], regarding the five parts of the house that belong to the aforementioned individual—as revocation of the documents could have negative repercussions— another property equivalent to the value of her house is to be assigned to her. / 12.

The Head of Branch 16 of the Islamic Revolutionary Court of Tehran

Hossein Mashayekh

[Signature over official stamp]

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In the Name of God - 2 Dey 1375 [22 December 1996]

It was viewed and reviewed. Considering all aspects of this case, should Nahid Enayati, daughter of Haghazar, intend to permanently reside in the country, it is agreed to provide her with a standard residential unit, as long as she is alive.

Action to be taken.

[Official Stamp]

[Official Stamp with Writing]

In the Name of God – Honourable Judge of Branch 10 – for Enforcement of Judgments, take appropriate action to publish it in the official newspaper of the country.

The Unit of the Enforcement of Judgments of the Islamic Revolutionary Courts

[Signature]

Form No. 54231/1/1040

Stamp of the Office of Planning and Programming

[Signature]