



“Unique is the case of ‘Judgment Creditor’; disgracefully the perpetrator is the ‘Executive Branch of Abu Dhabi, UAE” – White Paper

Saturday, December 27, 2014: New Delhi. [Published by: www.reparationlaw.com]



“Support the Judgment Creditor to strengthen the Integrity of the Judiciary and people’s confidence in our Justice System”. The Judgment Creditor, who obtained four consecutive Judgments against ‘Willful Defaulters’ is very unique in all respects. [White Paper released by ‘Jabir P’, the ‘Judgment Creditor’]

The Judgment Creditor approached various ‘Institutions’ [a brief-list is given below] narrating his ‘traumatic experiences’ and a life of hardship in order to enforce the portfolio of Judgments from the Courts of Abu Dhabi, UAE. “If these ‘institutions’ are not worthy of their names and status, what is the relevance of their existence and how they could be classified worthy?”

The Judgment Creditor is a survivor victim of the ‘cruellest torture’, unethical and inhuman treatments of Abu Dhabi executive branch. In the process, he was betrayed by the UAE Administration and the Government of India alike at every stage. He lost all precious things in life including his dignity, health and wealth.

The adamant nature of the ‘Judgment Debtor’, the ‘Administration of UAE’, in not executing the Portfolios of Judgments of the Higher Courts of that very Country is



cowardice, illegal and a threat and disgrace to the 'Judicial System of the UAE' and the entire law-abiding human community of the world. Appropriate action has to be initiated by the authorities concerned at this later stage to reach Justice to the Judgment Creditor.

The Case of the Judgment Creditor

The case of the Judgment Creditor, an Indian businessman and investor at Abu Dhabi, U.A.E., is a unique-one in all respects. It was a story of frightening, blatant violation of the 'Law' and the most shocking travesty of 'Constitution' of the United Arab Emirates to which the victim was exposed to. The investor was threatened of dire consequences if he did not agree to withdraw a civil suit that he brought against his Emirati business partner. The investor did not accede to the extortion threats of some corrupt local police officials of the Emirate. Due to the seriousness of the case, the Civil Court of Abu Dhabi was pleased to issue an Interim Decision and Order in favour of the investor.

In total negation of the judicial order, the accused in collusion with the local police attacked the Judgment Creditor at his office; robbed of cash and valuables to force him to withdraw the lawsuit. He sought intervention from the police. The police did come, but instead of helping him, he was shackled and literally dragged out of the office and on through the street in the presence of known friends and bystanders.

The Judgment Creditor had to undergo extremes of 'cruel torture', inflicted permanent physical damage and humiliation from Abu Dhabi Police which no human being can withstand. He was confined to a detention center and brutally tortured and later taken to 'Central Prison'. These painful incidents totally destroyed the life of the Judgment Creditor in all respects. The 'Duty and Responsibility' of the authority to protect a Judgment Creditor against the threats of violence was left unattended.

It took six months thereafter, for the person to have his first appearance in Court. He was framed a false case, alleging "Using force against Government employee and assault". The Trial Court of Abu Dhabi found that the victim is innocent, the case was wholly false, baseless and that it was fabricated by the police for personal gain. The Apex Court of Abu Dhabi found that the victim is innocent; rather 'a martyr'. The Court, comprising three-judge panel, praised the properness of the behavior and courage of victim. It further reiterated the condemnation of prosecution. The Court ordered immediate release of the victim, 'restoration' of victim's dignity and compensation for all his losses while pronouncing a 'Landmark Judgment'.

Customarily, in UAE, the debtors will be jailed until they have paid their debt. But the debtor in this 'Landmark Judgment' is the State of UAE whose Ruler at the time was none other than the late Sheikh Zayed himself, the Emir of Abu Dhabi and absolute Ruler of the United Arab Emirates (UAE). To avoid honoring its moral obligations and



assigned responsibilities, the UAE Administration served an arrogant, 'Despotic Order of Deportation' against the Judgment Creditor.

The victim was then re-victimized in a manner that was extremely 'libelous' – by 'false statements as if he was punished for a crime' and deported back to India. The 'Judgment Creditor' was entitled to execution of the Judgments and levies the Police Department of Abu Dhabi, worth hundreds of million US Dollars as compensation to restore his life, his dignity and his 'business establishments'.

The illegal deportation of an established businessman from the country that caused a situation associated with great pain, loss of dignity, loss of his entire business institutions etc. Flouting the orders of a judicial body is totally destructive of the 'Rules of Law' and Norms internationally upheld for safeguarding 'Human Rights'; defrauding the Judgment Creditor is a personal and vindictive action and thus the Executive of the State was committed the most heinous, bizarre, and unspeakable crime.

The 'legal fight for justice' took in very many proceedings before the Supreme Court of India and the High Court of Delhi. The subject matter of his grave complaints were adjudicated by the major Courts in India as well, which concurrently found the multiple forms of crime taking place under the UAE Administration such as fraud, forgery, extortion, torture and many other offences and subsequently secured two more Judgments from the High Court of Delhi in the year of 1997 and 2007 respectively. Despite the directive of the Delhi High Court, the Government of India has not discharged its duties as indicated in the judicial orders.

The anguish resultant from the deprivation of his establishments, assets and reputation earned exclusively through the untiring personal efforts of the Judgment Creditor for over 18 years of prime of his life, causes extreme mental depression which will virtually make his life only a vegetable existence. The UAE Government which owes huge debts to the Judgment Creditor by way of the non-execution of the Judgments of the Courts of Abu Dhabi in his favour, and for those unspeakable crimes committed against him, is also solely and exclusively responsible for the closure of "his various 'business establishments' in Abu Dhabi, United Arab Emirates".

The victim, the Judgment Creditor, has one demand: The Government of India should consider taking the necessary steps to execute the Judgments passed by the higher Courts of Abu Dhabi through all means, including the International Court of Justice (ICJ), on behalf of the Judgment Creditor and punish the guilty that was caused 'multi-billion dollars' worth of damage to the Judgment Creditor in order to strengthening the "Integrity of the Judiciary and people's confidence in our 'Justice System'".

The Judgment Creditor approached various 'Institutions' including the [Government of India](#), the Higher Judiciary, the NHRC, respectable Ministers, Parliamentarians and



even the 'United Nations' [a brief list is given below] for redressal narrating his traumatic experiences and a life of hardship of the Judgment Creditor, in order to enforce the portfolio of Judgments which he could secure from the Apex Court of Abu Dhabi on the basis of genuine facts and convincing evidences produced there in.

“If these ‘institutions’ are not worthy of their names and status, what is the relevance of their existence and how they could be classified worthy?”

Communications between the Judgment Creditor and the following Institutions:-

1) Reminder to the Government of India in relation with the Representation – July 16, 2014

<http://www.legalcell.com/reminder-to-mea-india-gulf-division-july-16-2014.php>

2) A self-contained explanatory representation to the Ministry of External Affairs, New Delhi
28 October, 2013

<http://www.lawyersindia.com/outsourcing/self-explanatory-representation-10-10-13-of-petitioner-ministry-of-external-affairs.html>

3) The second (important) reminder notice to the Secretary, Ministry of External Affairs,
New Delhi

<http://www.lawyersindia.com/outsourcing/second-important-reminder-ministry-of-external-affairs-india-10-june-2013.html>

4) Important Reminder Notice to the Secretary, Ministry of External Affairs, Govt. of India,
New Delhi.

http://www.reparationlaw.com/statepractices/functions_diplomatic_missions_vienna_convention_uae_case.php

5) Shri Salman Khurshid, Hon'ble Minister for External Affairs, Government of India

http://www.reparationlaw.com/statepractices/indo_gulf_reparation_mechanisms_featured_responses.php

6) Representation for 'Indo-Gulf Reparation Mechanisms' to the Government of India sheds light on the active involvement of the 'petitioner' in the process of getting justice and its far-reaching consequences – dated 28-10-2013

http://www.reparationlaw.com/statepractices/representation_indo_gulf_reparation_mechanisms.php

7) Preface by Mr. V.R. Krishna Iyer, Former Justice, Supreme Court of India

http://www.reparationlaw.com/statepractices/preface_by_v_r_krishna_ayer.php

8) Covering Letter by Mr. K. Sukumaran, Former Justice of Kerala and Bombay High Courts

http://www.reparationlaw.com/statepractices/covering_letter_by_justice_k_sukumaran.php

9) In the High Court of Delhi Case No: WP(C) NO.6149/1998 Date of Judgment 19/09/2007

http://www.reparationlaw.com/statepractices/jabir_vs_mea_india_19_09_2007_delhi_high_court.php



- 10) Secretary to the Minister of State, Ministry of External Affairs: 25/06/1999
http://www.lawyersindia.com/outsourcing/ministry_external_affairs_01.html
 - 11) Fax Message to UAE Ambassador, New Delhi, India 23/10/1999
http://www.lawyersindia.com/outsourcing/fax_message_uae_ambassador_delhi_1999.html
 - 12) Non Resident Keralites' Affairs (NORKA) Dept, Government of Kerala: 18/12/1999
http://www.lawyersindia.com/outsourcing/norka_amitabh_kant_1999.html
 - 13) Amnesty International, Secretariat, London: 16/08/1999
http://www.lawyersindia.com/outsourcing/amnesty_international.html
 - 14) The Minister of State, Foreign Affairs, UAE: 31/03/1999
http://www.lawyersindia.com/outsourcing/letter_to_foreign_affairs_uae_1999.html
 - 15) NHRC To Ministry of Home Affairs, New Delhi: 25/06/1998
http://www.lawyersindia.com/outsourcing/nhrc_to_ministry_home_affairs_new_delhi_1998.html
 - 16) Shri. I.K. Gujral, Member of Parliament, Lok Sabha: 23/06/1998
http://www.lawyersindia.com/outsourcing/ik_gujral_parliament_1998.html
 - 17) Ambassador of India, Abu Dhabi – United Arab Emirates: 21/09/1998
http://www.lawyersindia.com/outsourcing/ambassador_of_india_abu_dhabi.html
 - 18) Shri. O.Rajagopal, Member of Parliament, Rajya Sabha: 19/06/1998
http://www.lawyersindia.com/outsourcing/o_rajagopal_parliament_1998.html
 - 19) Smt. Vasundhara Raje, Minister of State for External Affairs: 16/06/1998
http://www.lawyersindia.com/outsourcing/vasundhara_raje_minister_external_affairs_1998.html
 - 20) Prime Minister's Office, New Delhi, India: 15/06/1998
http://www.lawyersindia.com/outsourcing/prime_ministers_office_new_delhi_1998.html
 - 21) Secretary to the Minister of State, Ministry of External Affairs: 29/01/1998
http://www.lawyersindia.com/outsourcing/ministry_external_affairs_new_delhi_1998.html
 - 22) Justice V.R. Krishna Iyer to National Human Rights Commission: 4/03/1997
http://www.lawyersindia.com/outsourcing/justice_v_r_krishna_iyer_1997.html
 - 23) Centre for Human Rights, United Nations [U.N.], Geneva: 28/02/1997
http://www.lawyersindia.com/outsourcing/united_nations_office_geneva_1997.html
- Appellate Civil/Criminal Jurisdiction, India & United Arab Emirates [UAE]**
- 24) In the High Court of Delhi Case No: WP(C) NO.6149/1998 Date of Judgment 19/09/2007
-



http://www.reparationlaw.com/statepractices/jabir_vs_mea_india_19_09_2007_delhi_high_court.php

25) In the High Court of Delhi, Appellate Civil Jurisdiction: 20/11/1997
http://www.lawyersindia.com/outsourcing/document_high_court_india.html

26) Key excerpts from the Judgment, Ministry of Justice, Abu Dhabi, UAE 1996
http://www.judgmentforsale.com/excerpts_judgment_summary_abudhabi_uae.html

27) Judgment in Arabic (Final, Legal Court of Appeal) of Ministry of Justice, Abu Dhabi, UAE
http://www.uaeleaks.com/judgment_final_arabic.html

28) Judgment in English (Final, Legal Court of Appeal) of Ministry of Justice, Abu Dhabi, UAE
http://www.uaeleaks.com/judgment_english_translation_01.html

Join Us: A Portfolio of UAE Judgments for Sale!

Funds are proposed to be raised by distribution of shares. “How do I become a voluntary contributor?”

<http://www.legalcell.com/i-am-a-voluntary-contributor.php>

