

Court Cases

MoJ decision overruled

Court acquits Kuwaiti citizen of forging car transfer docus

By Jaber Al-Hamoud
Al-Seyassah Staff

KUWAIT CITY, Nov 28: The Court of Appeals upheld the verdict issued by the Court of First Instance which acquitted a Kuwaiti citizen who was charged with forgery of documents for transferring ownership of a vehicle.

According to the case file, the plaintiff accused the defendant of forgery, stating that he, along with an unidentified individual faked her signature in order to transfer the ownership of her car to the defendant. The latter and the unidentified accomplice provided fake documents to the concerned employee with the accomplice pretending to the owner of the vehicle and signing the form, taking advantage of the good intention of the employee who approved the sale of the car.

The defendant counsel Lawyer Ina'am Haidar stressed that it was the plaintiff who signed the form in front of the relevant employee at the General Traffic Department, as the latter had confirmed this information and affirmed that the plaintiff was present at the office and had signed the ownership transfer form.

She said the report of the Criminal Evidences Department affirmed that the plaintiff's signature does not match the one on the form. However, the signature of the plaintiff was proved to be different at various occasions, as her signature on the power of attorney is different from her signature on cash deposit receipts.

Lawyer Haidar concluded by stating that the plaintiff does not have fixed signature so that it can be compared with the one on the form.

Legal violations: The Second Administrative Circuit of the Court of Cassation issued a verdict to cancel the decisions of Ministry of Justice to fill vacancies in the experts department of the ministry due to obvious legal violations in the appointment process such as manipulation of the results of the tests and interviews of the applicants, as well as appointment of candidates who did not pass the tests.

The court explained that the process violated the provisions of articles 27, 28 and 29 of law No. 40/1980 and its amendments which specify the criteria for forming the relevant committee in charge of appointing experts and assistant experts.

The committee formed based on ministerial decision No. 473/2015 did not meet the defined criteria, as it included irrelevant and unqualified members and aimed at dismissing certain applicants from occupying the vacant positions and replacing them with those less qualified and efficient.

The manipulation of the applicants' evaluation report was obvious

as it was discovered some marks were erased using white-out corrector and the new marks were written without the signature of the committee member next to the correction.

The court said the correction of the evaluation marks was repeated in many places by most of the committee members such that the matter could not be considered as normal. It would have been regarded as normal if one committee member realized his evaluation was not accurate enough and had thus corrected it and put his signature next to the correction, but it is not logical that most of the members realized their evaluations were not precise and decided to correct them altogether without signing next to the corrections.

Ruling cancelled: The Family Section in the Court of Appeals canceled the decision of a lower court which obligated a citizen to pay accumulated alimony to his ex-wife and children amounting to KD 50,000. The higher court decided to refer the lawsuit back to the First Instance Court to restart court proceedings.

Attorney Fatima Al-Shatti, who represented the ex-husband in court, pointed out that her client's ex-wife filed the lawsuit in 2007 asking the court to force him to pay three kinds of alimony to her and two kinds of alimony for the children from 2004 onwards. Al-Shatti added that her client had no idea about the verdict until in 2018 when he came back from an overseas treatment trip.

She argued that since her client was not notified about the court sessions and the lawsuit, the decision must be cancelled and the trial should restart from the beginning.

Divorce granted: The Family Court granted irrevocable divorce to a couple due to the harm involved, while the woman was deprived of all associated benefits and ordered to refund the sum she received as bride price.

According to the case file, the woman filed a case against her ex-husband saying their marriage produced a son and a daughter. She accused the man of abusing her verbally and physically. She filed for divorce with demand for benefits to ensure that the man paid her alimony and legal fees.

However, the ex-husband's lawyer, Attorney Jassem Al-Tweitan, argued that all claims of the woman were baseless and mere talks. He said there was no proof to substantiate her claims. Rather, a report submitted by two arbitrators – one from the ex-husband's side and the other from the woman – indicated that the woman was always the source of family problems, contrary to her claim that her ex-husband had always been a bully.



A flock of flamingos take a flight at the beach near Al-Sabah medical area. (Krishnadas Ramanujam – KUNA)

Court suspends sentence against ex-MP Tabtabaei in case filed by his former wife

'Shuwaikh brawl' case hearing adjourned to Dec 4

By Jaber Al-Hamoud
Al-Seyassah Staff

KUWAIT CITY, Nov 28: The Court of Cassation has suspended the execution of the Court of Appeal's ruling on the imprisonment of former MP Walid Al-Tabtabaei in the case filed by his ex-wife who accused him of tricking her to have sex.

Lawyer for the defendant, Attorney Muhammad Manawer, commented after the announcement of the court's decision: The contested verdict, which sentenced my client to imprisonment, is erroneous in terms of the application of the law as it did not pay attention to the testimonies of the defense. These testimonies would have changed direction of the entire case if the pleas of defense were taken into consideration.

It is worth mentioning that both the Court of Appeals and the lower court upheld the verdict of imprisoning Tabtabaei for seven years with hard labor. They decided to refer the case to the civil court and then dismissed the civil lawsuit filed by the former MP as it was found to have malicious intent.

Hearing adjourned: The Court of Appeals presided over by Judge Nasser Salem Al Heed Thursday adjourned to December 4 the case known as "Shuwaikh brawl" filed against a Kuwaiti citizen who is accused of attempted murder of an Egyptian expatriate in Shuwaikh Industrial Area.

According to the case file, the citizen was sentenced to 17-year imprisonment by a lower court for charges of attempted murder, deliberate destruction of property and public humiliation of the plaintiff. The defendant was also denied bail.

In another case, the same court overruled the Criminal Court's ver-



Sand is dumped on the hazardous material spilled on the road.

KFSD photo

Hazardous material leak contained

Acting on information the Ahmadi Fire-fighting Center and the Mubarak Al-Kabeer Center for Hazardous Materials rushed to an unidentified location in the area and dealt with hazardous material which had apparently leaked from a truck

while it was being transferred to another area, reports Al-Anba daily.

The daily added, the material is classified as incendiary and can cause public health hazard because it is known to seriously affect the respiratory system in addition to other

dangers. According to the report the firemen and personnel from the hazardous materials center diluted the leaked substance with water as a precautionary measure and then spread sand over the area to contain the dangerous effect.



KFSD photo

Major General Khaled Abdullah on an inspection tour with his team.

KFSD checks storage facilities

Deputy Director General of Fire Prevention Sector Major General Khaled Abdullah headed a surprise inspection campaign on the process of refining and storing inflammable liquid materials in all vocational areas, which resulted in the issuance of a number of citations and warnings.

In a press release, Major General Khaled Al-Abdullah said the presence of such inflammable liquid materials represent a danger to the lives and properties of people as well as the environment if in case they catch fire. He said, "We are working on coordinating with the concerned governmental authorities to remove such materials from vocational areas and relocated them to distant industrial areas".

He affirmed that the campaign will continue in all governorates of Kuwait.

It is worth mentioning that a number of in-charge officers from the Fire Prevention sector and police officers from different governorates had accompanied Major General Khaled Abdullah.

He affirmed that the campaign will continue in all governorates of Kuwait.

It is worth mentioning that a number of in-charge officers from the Fire Prevention sector and police officers from different governorates had accompanied Major General Khaled Abdullah.

News in Brief

Verdict on Dec 21: The Criminal Court has set Dec 21, 2019, to issue a verdict in the case of 16 people (bedoun) who are charged with organizing sit-ins in the Taima area and the Erada Square, reports Al-Anba daily.

The court has also rejected the appeal filed by defense attorneys to release them.

During yesterday's session five lawyers argued in vain in favor of their clients citing unconstitutionality of their arrests and detention. The lawyers told the court, their clients are not guilty of the charges filed against them and said they have no link with the main accused who is outside the country.

Asian duo robbed: Two unknown individuals burgled two Asian expatriates' house in Al-Amayer Investment area in Jahra.

According to security sources, the

victims went to the police station of the area and filed a case against the burglars, explaining to securitymen that the suspects stole a mobile phone and a sum of money from their house.

Investigations have been launched to find and arrest the suspects using the descriptions provided by the victims.

Asian expat assaulted: An unknown individual beat an Asian expatriate in the middle of the road during an argument between them about "right of way".

According to security sources, the victim went to the nearest police station with a medical report and informed securitymen that he was beaten by the suspect. A case was registered, and investigations were launched to identify the suspect using the information given by the victim, and summon him for questioning.

Beaten by friend

Real-estate trader freed

KUWAIT CITY, Nov 28: General Investigations Department has released a famous real-estate trader who was detained for investigations over a case filed against him by a GCC national who accused him of cheating in a real-estate sale deal, reports Al-Seyassah daily.

According to security sources, the department obtained the trader's statement in the presence of his lawyer. After receiving evidences that the real-estate deal was carried out legally, the department released him and referred the case to the court for verdict.

Meanwhile, a police officer affiliated to Ministry of Interior was arrested for causing a traffic officer to sustain injuries.

In a press release, the Public Relations and Security Media Department of the ministry explained that the traffic officer affiliated to the General Traffic Department was facilitating the traffic at Mangaf-Sabahiya roundabout due to an accident in the area. A police officer who arrived at the roundabout in his vehicle did not abide by the instructions of the traffic officer, causing the latter to order him to pull over to the side of the road. However, the police officer took the traffic officer into his vehicle and started driving, causing the traffic officer to fall from the vehicle and sustain injuries on his knees.

The police officer has been referred to the concerned authorities for necessary legal action.

Youths beaten: Two youths accused their "body-builder" friend of beating them in their camp during an argument between them.

According to security sources, the two youth went to a police station in Jahra area with medical reports, and explained to securitymen that they had an argument with their friend inside their camp in the desert area during which the latter set their camp and vehicle on fire and beat them before fleeing from the location.

A case was registered, and investigations have been launched to find and arrest the suspect.

ARAB TIMES
Kuwait's No.1 English Newspaper

For Complaints

Please Call
55633276

