

BEFORE THE DISTRICT JUDGE, RAHIM YAR KHANDate of institution 05 JUL 2021 *Ad*Presented by *Mr. Zubair Chohan*Date of appearance *07/07/21*

District & Sessions Judge

Rahim Yar Khan

Suit No. 4985 07/07/21 2021

1. Dr. Muhammad Sagir, Associate Professor, Department of Chemical Engineering, Khwaja Fareed University of Engineering and Information Technology, RYK S/o Riasat Ali R/O Khwaja Fareed University of Engineering and Information Technology, Abu Dhabi Road, RYK, Cell No. 03338487665
2. Dr. Muhammad Bilal Tahir, Assistant Professor, Department of Physics Khwaja Fareed University of Engineering and Information Technology, RYK S/o Allah Ditta Tahir R/O Khwaja Fareed University of Engineering and Information Technology, Abu Dhabi Road, RYK Cell No. 03009823010
3. Prof. Dr. Muhammad Suleman Tahir, Vice Chancellor, Khwaja Fareed University of Engineering and Information Technology, Rahim Yar Khan

PLAINTIFFS

VERSUS

1. Mr. Farukh Iqbal, S/o Muhammad Iqbal Ahmad, R/O House No.2, Street No.1, Jhang Road, Faisalabad. Cell No. 0333-6585482, mfarukhiqbal@gmail.com

DEFENDANT

2. Mr. Numair Manzoor, S/o Manzoor Ahmad, R/O

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07-07-21

SUIT FOR RECOVERY OF 500 MILLIONS FROM DEFENDANT NO.1 AS COMPENSATION ON ACCOUNT OF DEFAMATION CAUSED TO THE PLAINTIFFS WITH MANDATORY AND PERMANENT INJUNCTION AS CONSEQUENTIAL RELIEF.

Respectfully Sheweth,

- 1- That the addresses of the parties as given in the head note of this suit are correct for the purpose of their service.
- 2- That the plaintiffs are highly qualified and working in a well reputed and prestigious educational institutions from many years and have unblemished service record.
- 3- That the defendant No.1 uploaded following videos on You-tube through link

Video #1: Posted by Farrukh Iqbal on 27-Dec-2020

<https://www.youtube.com/watch?v=XNNk1KEOIf0>

Video #2: Posted by Farrukh Iqbal on 12-June-2021

https://www.youtube.com/watch?v=Ki3aZ_nEb-land

Video # 3: Posted by Farrukh Iqbal on 20 th June 2021

<https://www.youtube.com/watch?v=xb1PQ8M9BUBI>

The defendant No.1 also posted above said videos on his facebook account. The defendant No.1 claimed a plagiarism in a published research article by the plaintiffs in research journal 'Fuel'.

- 4- That it is respectfully submitted that the proforma defendant No.2 was MSc student (Session 2016-2018) who completed his MSc in Chemical Engineering from

University of Gujrat, Gujrat, under the supervision of



Carbon Dioxide into Methanol Using Photocatalyst (ZnFe₂O₄/TiO₂) Under Visible Light Irradiation". He published his first article from his MSc thesis titled "Experimental Study of CO₂ Conversion into Methanol by Synthesized Photocatalyst (ZnFe₂O₄/TiO₂) using Visible Light as an Energy Source", in an open Access journal "Catalysts" by MDPI as Numair Manzoor, Muhammad Sadiq, Muhammad Naqvi, Umair Sikandar and Salman Raza Naqvi in year 2020 (Received: 12 December 2019; Accepted: 14 January 2020; Published: 1 February 2020). The article is available online at <https://www.mdpi.com/2073-4344/10/2/163>.



- 5- That very interestingly defendant No.1 never objected about this article of proforma defendant No.2, neither he claimed his ownership despite of the fact that article directly belongs to his so-called MS thesis title which is available at <http://utpedia.utp.edu.my/18347/>. Furthermore, defendant No.1 join hands with all co-authors of defendant No.2 and published another article in Year 2021 with which can be accessed here <https://doi.org/10.1016/j.energy.2020.118952>.
- 6- That If defendant No.1 identifies his MS thesis as genuine with same title, but he never object on an open access paper directly published from his thesis by defendant No.2. The defendant No1 joined hands with co-authors of his MS thesis paper and requested them to add his name in their paper at third number. This clearly shows the ulterior motives of defendant

7- That the article claimed by defendant No.1 was published on March-2020 (First published: 12 March 2020), nearly after the 2 months later of first article published by defendant No.2 and the team of co-authors. Both articles as; <https://onlinelibrary.wiley.com/doi/abs/10.1002/jctb.6408> and <https://www.mdpi.com/2073-4344/10/2/163> can be seen on internet. As per defendant No.1 own video which is available on YouTube, he claimed that he completed his MS in 2017 and his paper was rejected by many times and was unable to publish his results for three years and a person who copy his work quickly publish two papers. This all is very astonishing and improbable and does not appeal to prudent mind. If defendant No.1 is competent enough and has done his thesis with own hands, then he would have published it well before any other can do it.

8 That the defendant No.2 published a paper in January 2020, plaintiffs submitted a paper to research journal 'Fuel' in February 2020 which was published in October 2020 & based on MSc thesis of defendant No.2 and the paper of defendant No.1 is published in March 2020. The defendant No.1 claimed on the basis of his March 2020 publication that the plaintiffs used his plagiarized data in their publication. The plaintiffs submitted the paper before publication of defendant No.1. The defendant No.2 must have to explain that how and where he got the data for his thesis and why he did not inform his supervisor. In such situation the



must have to explain and justify his position because all happened due to his alleged wrong act.



- 9- That there is every possibility that defendant No.1 provided his unpublished data to defendant No.2 then he is also responsible and he has to explain and justify his position. Fact is that the defendant No.1 accepted in his videos that he provided his unpublished data to defendant No.2.
- 10- That the defendant No.1 posted videos on social media and started threatening the Vice Chancellor Prof. Dr. Muhammad Suleman Tahir and the plaintiffs soon after his complaint and the purpose and motive of the defendant No.1 is to defame the plaintiffs.
- 11- That to whom defendant No.1 blamed for papers have already a huge number of papers and after his complaint the count is growing whereas defendant No.1 was hardly able to publish one paper which he got as quid pro quo from co-authors of defendant No.2.
- 12- That it is reiterated here that the similarity report of thesis of Respondent 2 was obtained before the proceeding of thesis (which was less than 15%) and paper (less than 11%) at the time of thesis and paper submission. Therefore, no such wrong data was showed at that time by any available source. In case if the claims of defendant No.1 is genuine, then he should report about the thesis of defendant No.2 and his material to University. As per HEC Policy, the student is solely responsible in case of any fault. However, in the instant case the claim of defendant No.1 is bogus since a single title is claimed by both

UTM, Malaysia neither reported any of the experimental diagram of the equipment.

13- That it is pertinent to mention here that the defendant No.1 had made a constant campaign on social and electronic media few of his You-Tube Videos and Facebook sharing's are attached (**Annexure-E & F**).

14- That the campaign launched by the defendant No.1 is widely distributed / circulated in shape of You-Tube Videos and Posts on Facebook account of defendant. The defendant's personal imagination without any certificate regarding his Thesis in his personal capacity, caused "undue harassment, blackmailing, loss of personal reputation and mental agony.

15- That the plaintiffs have life time's impeccable clean record, enjoying an immaculate reputation in all spheres of life. The subject / contents of campaign via Youtube Videos and Posts on Facebook account is neither tenable on facts nor in law and has no justification whatsoever. The malafide campaign launched by the defendant No.1 is malicious, false, baseless, incorrect just with an ill-will, unlawful, cruel and malafide efforts/ attempt on behalf of defendant due to his personal grudge with the active connivance of ill-wishers of the plaintiff caused undue harassment, blackmailing, loss of reputation and loss of health to the plaintiff.

16- That above said false, baseless and malicious campaign and defendant's personal actions /



harassed them in the circles of their colleagues, friends, relatives, acquaintances and made them target of hatred and ridicule amongst the same. The problems created as a consequence thereof, are bound to persist and will continue to create ill-effect viz-a-viz the plaintiffs and their family for whole of their lives.

17- That on account of aforesaid ugly campaign at the instance of the defendant No.1 and actions / stories, propaganda, the plaintiffs have been irreparably injured in their credit, character, reputation and health and have been brought into public disgrace and contempt and have suffered indescribable isolation, persecution, mental torture, humiliation and material loss. The plaintiffs are bound to suffer for ever and prospectively serious and grave injury, loss, damage. The plaintiffs conveyed their sense of shock and displeasure to the defendant but the defendants instead of being apologetic, showed total indifference which circumstances have gravely aggravated the tort committed by the defendants.

18- That plaintiffs have suffered irreparably on account of the above stated libelous, defamatory, blackmailing, malicious and scandalous campaign as well as actions / stories, propaganda of defendant through above said youtube videos and posts on facebook account. Legal injury, due to defamation, tort, slander, libel, conspiracy,



of money as the damage is enormous and irretrievable. However, the plaintiff restricts their claim to the following sums as damages:

i)	Injury to the reputation of the plaintiffs	Rs.	100/ million each
ii)	Loss of service career reputation	Rs.	40666000/- each
iii)	Mental torture, loss of health	Rs.	26000000 each
iv)	Legal expenses	Rs.	102,000/-
	TOTAL	Rs.	5000000/-



19. That on 20.06.2021 when the plaintiffs came to know the about the uploaded defamatory videos on youtube and facebook account by the defendant No.1 and plaintiffs seen the defamatory videos; hence plaintiffs served upon the defendant No.1 a legal notice dated 28.6.2021 demanding damages on account of defamation but defendant No.1 did not bother to respond the same.
20. That the cause of action arose in favour of the plaintiffs and against the defendants firstly on 20.06.2021 when the plaintiffs came to know the about the uploaded videos on youtube and facebook account and plaintiffs seen the defamatory videos and secondly when the plaintiff served legal notice to the defendant No.1 on 28.06.2021 whereas no response

legal notice but despite all above facts the defendant is continuously doing the same, hence this suit.

21. That the plaintiffs are working for gain and residing at Rahim Yar Khan, cause of action accrued at Rahim Yar Khan, therefore, this Honourable Court has got jurisdiction to adjudicate upon the matter.
22. That the value of the suit for the purposes of court fee and jurisdiction is fixed as Rs.500 millions, and requisite court fee of Rs.15,000/- has been affixed on the plaint.



P R A Y E R

Under the above mentioned circumstances, it is, therefore, respectfully prayed that a decree for the recovery of Rs. 500 millions as defamatory damages may kindly be passed with cost in favour of the plaintiffs and against the defendant and salanderous material on the social media may pleased be ordered to be removed and specifically defendant No.1 be directed not to upload further defaming material/videos on youtube and facebook or on any print media against the plaintiffs.

Any other relief which this Honourable Court

ASIR YAKHAN

07 JUL 2021



Through:

Handwritten signature

ABDUL BASIT KHAN BALOCH

Advocate Supreme Court

VERIFICATION

Verified on oath at Rahim Yar Khan this ___ day of July, 2021 that the contents of the above paras No. 1 to 19 are correct to the best of my knowledge and remaining paras No. 20 to 22 are true to the best of my belief.

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Plaintiff

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BEFORE THE DISTRICT JUDGE, RAHIM YAR KHAN



Suit No. _____/2021

In re:-

Dr. Muhammad Sagir, etc.

Versus

Farukh Iqbal, etc.

* * *

SUIT FOR RECOVERY OF 500 MILLIONS FROM DEFENDANT NO.1 AS COMPENSATION ON ACCOUNT OF DEFAMATION CAUSED TO THE PLAINTIFFS WITH MANDATORY AND PERMANENT INJUNCTION AS CONSEQUENTIAL RELIEF.

* * *

APPLICATION

UNDER ORDER 39 RULE 1 & 2 CPC READ WITH SECTION 151 C.P.C FOR INTERIM RELIEF.

* * *

RESPECTFULLY SHEWETH:-

1. That the above titled suit has been filed in this Honourable Court, in which no date of hearing has been fixed so far.
2. That the contents of the suit may kindly be read as

3. That the petitioner has got good prima facie case, which is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioner.
5. That if the respondent No.1 is not restrained from uploading further defaming material/videos on youtube, facebook and print media in any manner whatsoever, the petitioner will suffer an irreparable loss and injury.

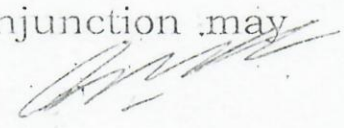
P R A Y E R

In view of the above submissions, it is most respectfully prayed that till the final decision of the suit, defendant No.1 be directed not to upload further defaming material/videos on youtube and facebook or on any print media against the plaintiffs in the supreme interest of justice.

It is also prayed that ad-interim injunction may also very graciously be granted.

PETITIONER

THROUGH:


ABDUL BASIT KHAN BALOCH
Advocate Supreme Court

BEFORE THE DISTRICT JUDGE, RAHIM YAR KHAN



Suit No. _____/2021

In re:-

Dr. Muhammad Sagir, etc.

Versus

Farukh Iqbal, etc.

* * *

SUIT FOR RECOVERY OF 500 MILLIONS FROM DEFENDANT NO.1 AS COMPENSATION ON ACCOUNT OF DEFAMATION CAUSED TO THE PLAINTIFFS WITH MANDATORY AND PERMANENT INJUNCTION AS CONSEQUENTIAL RELIEF.

* * *

APPLICATION

UNDER ORDER 39 RULE 1 & 2 CPC READ WITH SECTION 151 C.P.C FOR INTERIM RELIEF.

* * *

AFFIDAVIT

Of Dr. Muhammad Sagir, Associate Professor, Department of Chemical Engineering, Khwaja Fareed University of Engineering and Information Technology, RYK S/o Riasat Ali R/O Khwaja Fareed University of Engineering and Information Technology, Abu Dhabi Road, RYK, Cell No. 03338487665

* * *

I, the above named deponent do hereby solemnly affirm and declare as under:

1. That the above titled suit has been filed in this Honourable Court, in which no date of hearing has been

2. That the contents of the suit may kindly be read as an integral part of this application.

3. That the petitioner has got good prima facie case, which is likely to be succeeded.

4. That the balance of convenience lies in favour of the petitioners.

5. That if the respondent No.1 is not restrained from uploading further defaming material/videos on youtube, facebook and print media in any manner whatsoever, the petitioner will suffer an irreparable loss and injury.

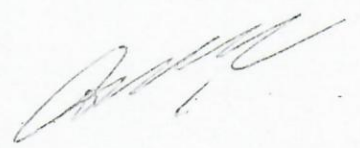


DEPONENT

VERIFICATION

Verified on oath this ___ day of July, 2021 at Rahim Yar Khan that the contents of above affidavit are true and correct to the best of my knowledge and belief.

ATTESTED ON OATH
Mian Rizwan Raut
ADVOCATE HIGH COURT
Oath Commissioner
2021 Jul 12 10:20:10 11 10 2021
Dist. Court Rahim Yar Khan



DEPONENT

FILE
ASIR KHAN