

IN THE COURT OF MUHAMMAD JUNAID ALAM,
CIVIL JUDGE-II, TEHSIL COURT, KALAYA, ORAKZAI

Civil Suit No. 90/1 of 2024
Date of Institution: 30.10.2024
Date of Decision: 09.12.2024

**MST. MOEEN SULTAN WIFE OF WALI
MUHAMMAD, RESIDENT OF QOM SEPOY,
LAKHKARI KHEL, ZERRA, TEHSIL LOWER
DISTRICT ORAKZAI.**

.....(PLAINTIFF)

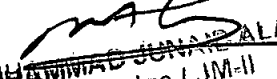
VERSUS

- 1. CHAIRMAN NADRA, ISLAMABAD**
- 2. DIRECTOR GENERAL NADRA, HAYATABAD,
PESHAWAR**
- 3. ASSISTANT DIRECTOR NADRA ORAKZAI**
.....(DEFENDANTS)

**SUIT FOR DECLARATION, PERMANENT AND MANDATORY
INJUNCTION**

SUMMARY JUDGEMENT:

09.12.2024


MUHAMMAD JUNAID ALAM
Civil Judge / JM-II
Orakzai at Kalaya

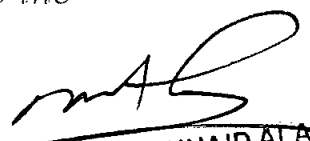
1. Brief facts of the case in hand are that the plaintiff,
have filed the instant suit for declaration, permanent
and mandatory injunction against the defendants,
referred hereinabove, seeking declaration therein that
correct date of birth of the plaintiff is **01.01.1960** and
while defendants have incorrectly entered the date of
birth of plaintiff as 1976, in their record which is
wrong and ineffective upon the rights of the plaintiffs
and liable to correction. Furthermore, due to said
wrong entries there exists an un-natural gap of three,

seven, eight and 13 years between the ages of plaintiff and her children. Moreover, due to said wrong entry the CNICs of her son namely Asim Ali and Musaib Muhammad have not been renewed and has been blocked. That the defendants were repeatedly asked to correct the date of birth of plaintiff but they refused, hence, the instant suit.

2. Today representative for defendants appeared before the court and submitted authority letter and written statement, which are placed on file.
3. During the scheduling conference within the meaning of order IX-A of CPC, it was revealed that the matter involved in the instant case is very petty in nature, which can be decided through summary judgement as per relevant record, without recording lengthy evidence. Notice of the summary judgment given to defendants. As the primary aim and objective of Amended Management Rules in CPC is, "*to enable the court to-*

- a. *Deal with the cases justly and fairly;*
- b. *Encourage parties to alternate dispute resolution procedure if it considers appropriate;*
- c. *Save expense and time both of courts and litigants; and*
- d. *Enforce compliance with provisions of this Code."*

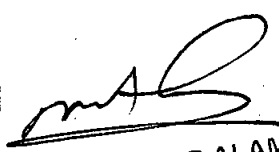
Arguments of the counsel for plaintiff heard and representative of NADRA advanced his arguments.


MUHAMMAD JUNAID ALAM
Civil Judge / JM-II
Orakzai at Kalaya

9-12-2024

Mst. Moeen Sultan Vs NADRA

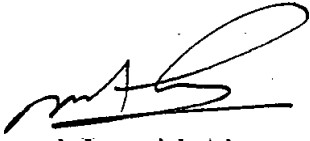
4. Record reveals that plaintiff, through instant suit is seeking correction of date of birth to the effect that correct date of birth of the plaintiff is **01.01.1960** while defendants have incorrectly entered the date of birth of plaintiff as 1976 in their record by the defendants, which is wrong, ineffective upon the right of the plaintiff and liable to correction. Plaintiffs in support of her contention produced the copies of CNICs of her sons and daughters namely Mst. Arin Sultan, Mst. Tahrir Sultan, Rahim Ali and Musaib Sultan bearing CNICs No. 21603-1466888-2, 21603-2375066-6, 21603-9300202-7 and 21103-5258827-5 respectively wherein the dates of birth are mentioned as 01.01.1989, 1979, 19.03.1983 and 1984, which shows there exists un-natural gaps of thirteen, three years, seven years and eight years respectively between the age of plaintiff and her sons and daughters, which is impossible and against the order of nature. The said documents clearly negate the existing incorporation of date of birth of plaintiff as 1976. Further, there is no countered document available with the defendants to rebut the documents produced by the plaintiff in support of her contention. So, the available record clearly establishes the claim of the plaintiff.


MUHAMMAD JUNAID ALAM
Civil Judge / JM-II
Orakzai at Kalaya

9-12-2024

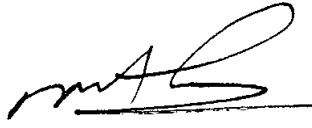
4. Consequently, upon what has been discussed above and the jurisdiction vested in this court under order IX-A and XV-A of CPC, suit of the plaintiff succeeds and is hereby decreed as prayed for. Defendants are directed to enter the correct dates of birth of plaintiff as 01.01.1960 in their record and issue fresh CNIC to the plaintiffs. This decree shall not effect the rights of other(s) or service record if any.
5. Parties are left to bear their own costs.
6. File be consigned to the District Record Room, Orakzai after its necessary completion and compilation.

Announced
09.12.2024


Muhammad Junaid Alam,
Civil Judge-II,
Tehsil Courts, Kalaya, Orakzai

CERTIFICATE

Certified that this judgment consisting upon 04 (four) pages, each has been checked, corrected where necessary and signed.


Muhammad Junaid Alam,
Civil Judge-II,
Tehsil Courts, Kalaya, Orakzai