

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

Civil Suit No. 10/1 of 2025
Date of Institution: 18.02.2025
Date of Decision: 25.02.2025

**MST. IHSANA BIBI WIFE OF JANAS KHAN,
RESIDENT OF QAUM UTMAN KHEL, TAPPA
BAZРАН KHEL, KATTA PANRRA, TEHSIL
LOWER, DISTRICT ORAKZAI.**

.....(PLAINTIFF)

VERSUS

- 1. ASSISTANT DIRECTOR NADRA ORAKZAI**
- 2. DIRECTOR GENERAL NADRA KHYBER KPK**
- 3. CHAIRMAN NADRA PAKISTAN ISLAMABAD**

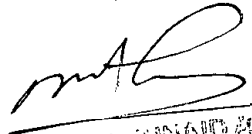
.....(DEFENDANTS)

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

SUMMARY JUDGEMENT:

25.02.2025

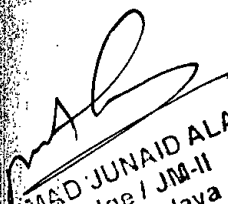
1. Brief facts of the case in hand are that the plaintiff have filed the instant suit for declaration-cum-permanent and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that correct date of birth of the plaintiff is **01.01.1958** while defendants have incorrectly entered the date of birth of plaintiff as 01.01.1973, in their record which is wrong and ineffective upon the right of the plaintiff and liable to correction. Furthermore, due to said wrong entries there exists an un-natural gap of twelve & two years between the ages of


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plaintiff and her son namely Alam Zaib, bearing CNIC No. 21603-3351813-3 and daughter namely Kiptana Bibi, bearing CNIC No. 21603-7856367-4. That the defendants were repeatedly asked to correct the date of birth of plaintiff but they refused, hence, the instant suit.

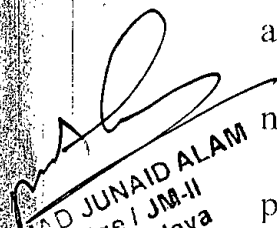
2. Today representative for defendants appeared before the court and submitted authority letter and written statement, which are placed on file. Notice of summary trial of the instant case was issued to the defendant through its representative.
3. During the scheduling conference within the meaning of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


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Learned counsel for plaintiff heard and record gone through.

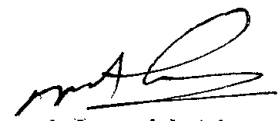
4. Record reveals that plaintiff through instant suit is seeking correction of date of birth to the effect that correct date of birth of plaintiff is **01.01.1958** while defendant have incorrectly entered the date of birth of plaintiff as 01.01.1973 in their record by the defendants, which is wrong, ineffective upon the right of the plaintiff and liable to correction. Plaintiff in support of her contention produced the copies of CNICs of her son namely Alamzaib bearing CNIC No. 21603-3351813-3 and daughter namely Kiptan Bibi, bearing CNIC No. 21603-7856367-4, wherein the dates of birth is mentioned as 03.10.1985 and 1975 respectively which shows there exist un-natural gaps of twelve & two years between the ages of plaintiff and her son and daughter, which are impossible and against the order of nature. The said documents clearly negate the existing incorporation of date of birth of plaintiff as 01.01.1973. Further, there is no countered documents available with the defendants to rebut the document produced by the plaintiff in support of her contention. So, the available record clearly establishes the claim of the plaintiff.


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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 date of birth of the plaintiff as **01.01.1958** in their record and issue fresh CNIC to the plaintiff with new date of birth. 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
25.02.2025


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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