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**IN THE COURT OF IJAZ MAHSOOD, SENIOR CIVIL JUDGE,
ORAKZAI AT BABER MELA**

Suit No.....11/1 of 2025

Date of Institution..... 01.02.2025

Date of Decision.....14.04.2025

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**Abdul Wahid s/o Abdul Qadir, R/O Qoum Mamozai,
Tappa Mir Kalam Khel, Tehsil Upper, District Orakzai.**

.....(*Plaintiff*)

Versus

Assistant Director NADRA, Orakzai

through Representative

..... (*Defendants*)

SUIT FOR DECLARATION & PERMANENT INJUNCTION

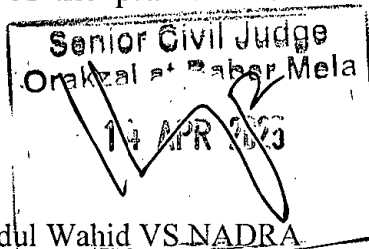
SUMMARY JUDGMENT

14.04.2025

This judgment decides instant case filed by Abdul Wahid for correction of date of birth of his father as maintained by the defendants.

Pleadings:

Facts as recounted in the plaint reads that correct birth date of the plaintiff's father is 01.01.1940 while the defendants have erroneously recorded the same as 1949. That correct birth date of the plaintiff 1958. He contends that the age difference



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shown by defendants between him and his father is biologically impossible; hence, the suit.

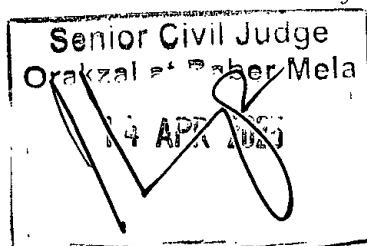
Defendants were summoned who appeared through their representative namely Mr. Iftikhar Ahmad, who submitted written statement. They concede that as per their policy unnatural gap between parent and child is a genuine ground for seeking correction of records.

During the scheduling conference within the meaning of order IX-A of CPC, it was revealed that the matter involved in the instant case involves simple adjudication, which can be decided through summary judgement as per relevant and admitted record.

To this effect notice was given to the parties that why not the case in hand be decided on the basis of available 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



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d. Enforce compliance with provisions of this Code.”

Learned counsel for plaintiff and representative for the defendants heard and record gone through.

Record/family tree reveals that date of birth of the plaintiff is recorded as 1958 while that of his father namely Abdul Qadir is recorded as 1949, thus there is a gap of 09 years and between the dates of birth of the plaintiff and his father, which is very unnatural.

Unnatural gap, when established on the face of record does not require further proof. In the situation at hand, the best solution, even if not a good one, is to grant the prayer, so as to remove future complications.

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. Correct date of birth of plaintiffs' father namely Abdul Qadir is declared as 01.01.1940. Defendants are advised to bring their record in line with this judgment. Costs shall follow.


Senior Civil Judge
Orakzai at Baber Mela
14 APR 2025

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File be consigned to record room after its necessary completion and compilation.


ANNOUNCED

14.04.2025


(Ijaz Mahsood)
Senior Civil Judge,
Orakzai (at Baber Mela)

CERTIFICATE

It is certified that this judgment consists of 04 pages. Each page has been dictated, read, corrected and signed by me.


(Ijaz Mahsood)
Senior Civil Judge,
Orakzai (at Baber Mela)