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

Suit No.....14/1 of 2025

Date of Institution..... 07.02.2025

Date of Decision.....18.04.2025

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1. **Mr. Sher Hakeem s/o Abdul Karim**
2. **Mst. Zaliha Bibi w/o Sher Hakim**
3. **Mst. Miraja Bibi d/o Sher Hakim & wife of Speen Gul**
All R/O Qoum Mala Khel, Tappa Aziz Khel, Kaski Zar,
Star Kalay, Tehsil Upper, District Orakzai

.....(*Plaintiffs*)

Versus

1. Chairman NADRA Islamabad
2. Assistant Director NADRA, District Orakzai through
Representative.

..... (*Defendants*)

SUIT FOR DECLARATION & PERMANENT INJUNCTION

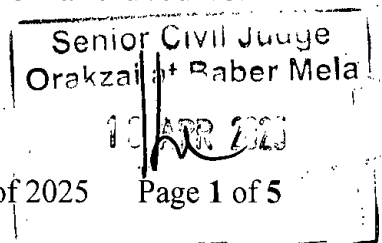
SUMMARY JUDGMENT

18.04.2025

This judgment decides instant case filed by Mst. Miraja Bibi for correction of date of birth of her parents in their record as maintained by the defendants.

Pleadings:

Later on, with permission of the court, counsel for the plaintiff submitted better statement seeking to add/inter the names of her parents in the plaint. The Plaintiffs have filed for

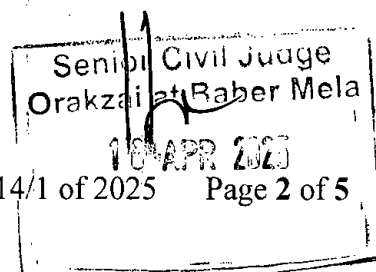


correction of dates of birth of plaintiffs No. 01 and 02 on the ground of having unnatural gap with one of their daughters namely Mst. Miraja Bibi. They contend that the age difference shown by defendants between them and their daughter is biologically impossible.

The claim as related in the plaint reads that correct date of birth of the plaintiff No. 01 is 01.02.1960 and that of plaintiff No. 02 is 01.01.1955, while the same have been erroneously recorded as 01.02.1970 and 1973 respectively by defendants. That correct date of birth of plaintiff No. 03 namely Mst. Miraja Bibi is 10.07.1978 which leaves unnatural gap between the birth dates of parents (plaintiffs No. 01 & 02) and plaintiff No. 03.

Defendants were summoned who appeared through their representative and submitted written statement. They concede that as per their policy unnatural gap between parents 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 involves simple adjudication, which can be decided through summary judgement as per relevant



record 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
- d. Enforce compliance with provisions of this Code."

Learned counsel for plaintiffs and representative for defendants heard and record gone through.

Record/family tree reveals that date of birth of plaintiff No. 01 is 01.02.1960 and that of plaintiff No. 02 is 01.01.1955 while the same have been erroneously recorded as 01.02.1970 and 1973 by defendants respectively. The correct date of birth of their daughter namely Mst. Miraja Bibi (plaintiff No. 03) is 10.07.1978; thus, there is a gap of 08 years and 03 years respectively

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between the dates of birth of the plaintiffs No. 01 and 02 and their daughter, which is very unnatural. So, the family tree of the plaintiff clearly negates the incorporation of dates of birth of plaintiffs No. 01 & 02 as 01.02.1970 and 1973 respectively in their record as maintained by the defendants.

Unnatural gap, when established on the face of record does not require further proof. In the situation at hand, the best solution, 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 plaintiffs succeeds and is hereby **decreed** as prayed for. Correct date of birth of the **plaintiff No. 01 is declared as 01.02.1960** and that of **plaintiff No. 02 as 01.01.1955**. The defendants are advised to bring their record in line with this judgment. Costs shall follow the event.

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

ANNOUNCED
18.04.2025


(Ijaz Mahsood)
Senior Civil Judge,
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CERTIFICATE

It is certified that this judgment consists of 05 pages. Each page has been dictated, read, corrected and signed by me.



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