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

Suit No.....27/1 of 2025

Date of Institution..... 16.04.2025

Date of Decision.....28.04.2025

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**Mst. Basi Marjana w/o Wazir Khan**, R/O Qoum Ali  
Khel, Tappa Panjum, Ramdan, Tehsil Upper, District  
Orakzai.

.....(Plaintiff)

**Versus**

1. Chairman NADRA, Islamabad.
2. Director General NADRA, Peshawar.
3. Assistant Director NADRA, Orakzai.

..... (Defendants)

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**SUIT FOR DECLARATION & PERMANENT INJUNCTION**

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**SUMMARY JUDGMENT**

28.04.2025

This judgment decides instant case filed by Mst. Basi  
Marjana for correction of her date of birth as maintained by the  
defendants.

**Pleadings:**

Facts as recounted in the plaint reads that correct birth  
date of the plaintiff is 01.01.1950, while the defendants have  
erroneously recorded the same as 1970. That correct birth dates

Senior Civil Judge  
Orakzai Baber Mela  
28 APR 2025

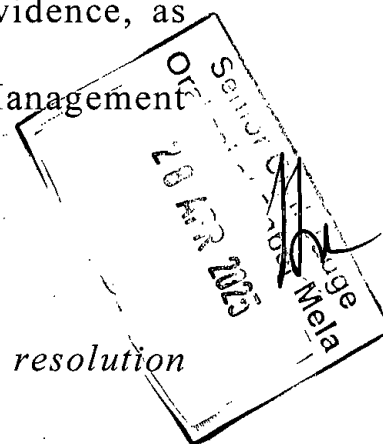
of her elder son namely Muhammad Din Khan and second son namely Noor Muhammad is 1969 and 1975 respectively. She contends that the age difference shown by defendants between her and her children is biologically impossible; hence, the suit.

Defendants were summoned who appeared through their representative namely Mr. Iftikhar Ahmad, who submitted written statement. He concedes 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*

*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 1970 by defendants, thus there is a gap of 01 year between the date of birth of the plaintiff and her elder son namely Muhammad Din Khan, who has been shown one year older than his mother (plaintiff). Further, it has also been extracted that there is a gap of 05 years between the date of birth of the plaintiff and her second son namely Noor Muhammad, 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

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of birth of plaintiff is declared as 01.01.1950. Defendants are advised to bring their record in line with this judgment. Costs shall follow.


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

**ANNOUNCED**  
28.04.2025

  
(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)