

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

Civil Suit No. 117/1 of 2024
Date of Institution: 23.12.2024
Date of Decision: 17.02.2025

**MST. ARIFA JAN WIFE OF RAHMAT ALI,
RESIDENT OF QOM MANI KHEL, TAPPA AHMAD
KHEL, P/O KALAYA TEHSIL LOWER DISTRICT
ORAKZAI.**

.....(PLAINTIFF)

VERSUS

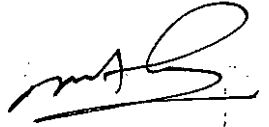
1. **CHAIRMAN NADRA, ISLAMABAD**
2. **DIRECTOR GENERAL NADRA, HAYATABAD,
PESHAWAR**
3. **ASSISTANT DIRECTOR NADRA ORAKZAI**

.....(DEFENDANTS)

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

SUMMARY JUDGEMENT:


17.02.2025


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

1. Brief facts of the case in hand are that the plaintiff, has filed the instant suit for declaration, permanent and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that correct date of birth plaintiffs mother is **01.01.1942**, while defendants have incorrectly entered the same as 1963 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 exist un-natural gap of three years between the age of plaintiff and her mother namely Arab Jan. That the defendants were repeatedly asked to correct the dates of birth of plaintiffs but they refused, hence, the instant suit.

2. Today representative for defendants appeared before the court and submitted written statement, which is placed on file. Notice of summary trial of the instant case was issued to the defendants 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."*

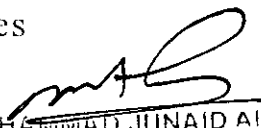

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Learned counsel for plaintiff heard and record gone through.

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's mother is **01.01.1942**, while defendants have incorrectly entered the same as 1963 in their record by the defendants, which is wrong, ineffective upon the right of the plaintiffs and liable to correction. Plaintiff in support of her contention produced the copy of CNIC of her mother namely Arab Jan bearing CNIC No. 21603-5046793-6, wherein the date of birth of her mother is mentioned as 1963, and hence, there exist unnatural gaps of three years between the ages of plaintiff with her mother, which is impossible and against the order of nature. The said document clearly negates the correct incorporation of date of birth of plaintiff's mother as 1963. Further, there is no countered document 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.

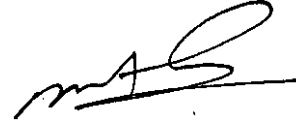
4. Consequently, upon what has been discussed above and the jurisdiction vested in this court under order IX-A and XV-A of CPC, suit of the plaintiff succeeds and is hereby decreed as prayed for. Defendants are directed to enter the correct date of birth of plaintiff's mother as **01.01.1942** in their record. This decree shall


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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
17.02.2025



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

CERTIFICATE

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



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