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

Suit No.....42/1 of 2025

Date of Institution.....16.06.2025

Date of Decision.....14.07.2025

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**Mst. Nusrat Begum w/o Said Mahmood, R/O Qoum
Mamozai, Tappa Mir Kalam Khel, Tehsil Upper, District
Orakzai.**

.....(*Plaintiff*)

Versus

Assistant Director NADRA Orakzai through representative.

..... (*Defendant*)

SUIT FOR DECLARATION & PERMANENT INJUNCTION

SUMMARY JUDGMENT

14.07.2025

This judgment decides instant case filed by Mst.
Nusrat Begum for correction of date of birth in her record as
maintained by the defendant.

Pleadings:

Plaintiff has filed the instant suit for correction of her
date of birth on the ground of having unnatural gap with her son
Mr. Muhammad Sajid. She contends that the age difference
shown by defendant between her and her children is biologically
impossible.

Senior Civil Judge
Orakzai
14 JUL 2025

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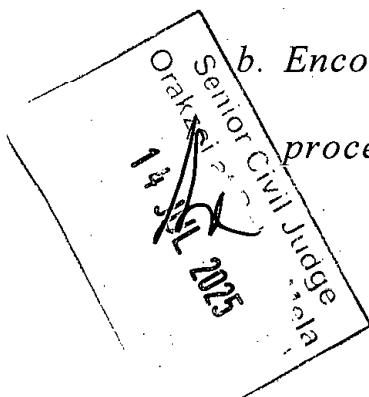
It is further alleged that when defendant was requested to rectify the mistake extra-judicially, they declined, hence the suit.

Defendant was summoned who appeared through their representative and 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 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;



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c. Save expense and time both of courts and litigants;

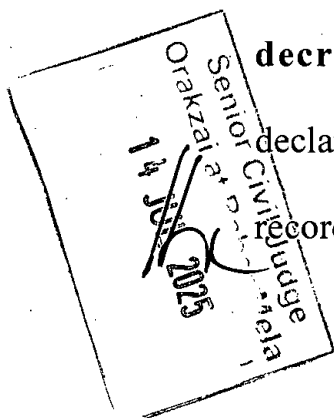
and

d. Enforce compliance with provisions of this Code.”

Learned counsel for plaintiff and representative for defendant heard and record gone through.

Record reveals that date of birth of the plaintiff is 01.01.1990 while that of her son namely Muhammad Sajid is 01.04.2000, thus there is a gap of 10 years and 03 months between the dates of birth of the plaintiff and her son, which is very unnatural. So, the record clearly negates the incorporation of her date of birth as 01.01.1990 in her CNIC.

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 plaintiff succeeds and is hereby **decreed** as prayed for. Correct date of birth of the plaintiff is declared as 01.01.1980. The defendant is advised to bring its record in line with this judgment. Costs shall follow the event.




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


ANNOUNCED

14.07.2025.


(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)