

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

Suit No.....86/1 of 2025.

Date of Institution.....21.06.2025.

Date of decision.....21.07.2025.

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Inab Khan S/O Shahzar Khan & 11 others all R/O Qaum Sheikhan,
Tappa Umarzai, Tehsil Central District Orakzai(Plaintiff)

Versus

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

.....(Defendants)

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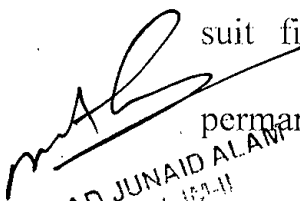
SUIT FOR DECLARATION & PERMANENT INJUNCTION.

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Judgement:
21.07.2025

Through this judgement this court is going to dispose of the instant
suit filed by plaintiffs against the defendants for declaration cum-
permanent injunction.

Brief facts of the case are that plaintiff brought the instant suit for
declaration cum-permanent injunction to effect that correct father name of
plaintiffs is **Shahzar Khan**, however; it is wrongly entered in the record of
defendants as **Shehzad Khan** which are wrong, illegal and ineffective
upon the rights of plaintiffs and liable to be rectified. That defendants


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were asked time and again to do the needful but in vain, hence the present suit.

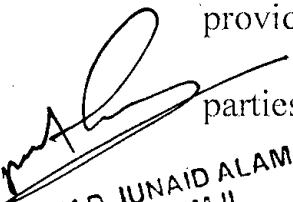
After institution of the suit, defendants were summoned, who marked their attendance through representative and contested the suit by filing written statement. In the written statement the defendants have raised several legal and factual objections.

From divergent pleadings of the parties, the followings issues were framed for adjudication of real controversy between the parties.

ISSUES

1. Whether plaintiff has got cause of action? OPP
2. Whether correct father name of plaintiffs is Shahzar Khan while defendants have incorrectly entered the same as Shehzad Khan? OPP
3. Whether plaintiffs are entitled to the decree as prayed for? OPP
4. Relief?

Upon submission of list of witnesses, both the parties on being provided with an opportunity to adduce their desired evidence, the parties produced their evidence.


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After the completion of evidence, arguments of the learned counsel for the parties were heard and record of the case file was gone through with their valuable assistance.

My issue wise findings are as under: -


ISSUE NO.02.

During course of recording evidence, plaintiffs in support of their claim and contention produce witnesses.

Adil Badshah villager of plaintiffs appeared and deposed himself as PW-01. He stated that I know the plaintiffs. Father of plaintiffs retired from FC. Correct father name of plaintiffs is Shahzar Khan, however, defendants wrongly entered his as Shehzad Khan. Copy of his CNIC is Ex.PW-1/1. He lastly requested of decree of suit of plaintiffs as prayed for. During cross examination he stated that father of plaintiffs has been died. Plaintiffs are 12 brother and sister. Mother of plaintiffs is alive. Father of plaintiffs retired from FC.


Rahman Ullah brother of plaintiffs appeared and deposed himself as PW-02. He stated that he is the brother of plaintiff. As per CNIC, Service record and death certificate correct father name of plaintiffs is Shahzar Khan. Copy of his CNIC is Ex.PW-2/1. During cross examination nothing contradictory has been extracted out of

him.


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Plaintiff No.1 (special attorney for plaintiffs) himself appeared and deposed as PW-03 and reiterated the averments of plaint. He stated that he is the attorney for plaintiffs. Special attorney is Ex.PW-3/1. He further stated that name of father of plaintiffs Shahzar Khan is mentioned in his newly issued CNIC, Service record and death certificate. Copy of his CNIC is Ex.PW-3/2. Copies of CNIC of his

father and mother are Ex.PW-3/3 & Ex.PW-3/4. Copies of CNIC of Taj Begum, Ajmina Bibi, Shaid Bibi, Rahman Ullah, Ihsan Ullah, Bibi Laila, Shaib Khel, Sinab Khan, Khail Sanga, Ajmina Bibi, Rasool Khan, and Zahila Bibi are Ex.PW-3/5 to Ex.PW-3/16. His father retired from FC. Copy of pension book is Ex.PW-3/17. Death certificate is Ex.PW-3/18. He lastly requested for decree of suit in favor of plaintiffs. During cross examination he stated that he is illiterate. Plaintiffs made their CNIC before their father new CNIC. He further stated that his father did not told that he had change his name.


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Thereafter, evidence of plaintiff was closed.

Iftekhhar Ahmad (Representative of NADRA) appeared and deposed as DW-1. He produce family tree of plaintiff is Ex.DW-1/1. As per family tree father name of plaintiffs mentioned as Shehzad. As per NADRA SOP to change name of parents or for their correction in name, one of brother or sister should appeared before the office of NADRA to perform biometric. During cross examination it is correct that per Ex. DW-1/1 Shahzar Khan is correctly mentioned in his father CNIC. He further stated that it is correct that as per Ex.PW-3/17 & Ex.PW-3/18 father name of plaintiffs is Shahzar Khan.


Claim of plaintiffs are that their true and correct father name is **Shahzar Khan**, but defendants have incorrectly recorded the same as **Shehzad** in their record, which is wrong and liable to be rectified.

Plaintiffs produced the copies of death certificate, service record and pension book, according to which correct father name of plaintiffs is Shahzar Khan. Oral evidence produced by plaintiffs also supportive to the averments of plaint. Defendants failed to establish that the exhibited record in favor of plaintiffs are managed or manipulated one. Plaintiffs produced cogent, convincing and reliable documentary as well as oral evidence in support of their claim and contention.

Keeping in view the above discussion and documentary as well as oral evidence available on file, it is held that correct father name of plaintiffs is *Shahzar Khan*, which is also recorded in his new CNIC. Issue decided accordingly.

ISSUES NO.1 & 3.

In the light of foregoing discussion, plaintiffs have proved their stance through cogent, convincing and reliable documentary and oral evidence; therefore, they have got cause of action and are entitled to the decree, as prayed for. Both these issues are decided in positive in favor of plaintiffs.


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RELIEF.

Crux of my issue wise discussion is that suit of the plaintiffs are hereby decreed in their favor against the defendants as prayed for. No order as to costs. This decree shall not affect the rights of any other person interested, if any or service record of plaintiffs, if any.

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

ANNOUNCED

21.07.2025.



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CERTIFICATE

It is certified that this judgment consists of 06 pages. Each page has been dictated, read, corrected and signed by me.



Muhammad Junaid Alam
Civil Judge-II, Tehsil Court Kalaya