

24

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

Suit No.....65/1 of 2025

Date of Institution..... 08.09.2025

Date of Decision.....17.10.2025

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Mst. Bakht Dunia w/o Fareed Khan, R/O Qoum Akhel,
Tehsil Upper, District Orakzai.

.....(*Plaintiff*)

Versus

Assistant Director NADRA, Orakzai.

Through representative

..... (*Defendant*)

SUIT FOR DECLARATION & PERMANENT INJUNCTION

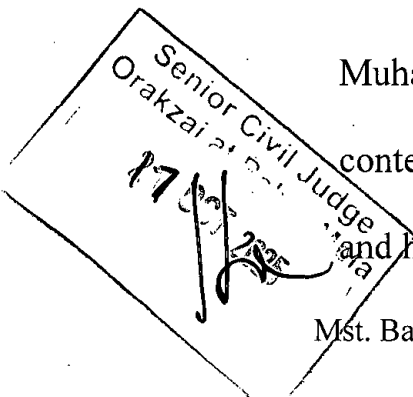
SUMMARY JUDGMENT

17.10.2025

This judgment decides instant case filed by Mst. Bakht Dunia for correction of her date of birth as maintained by the defendant.

Pleadings:

Facts as recounted in the plaint reads that correct birth date of the plaintiff is 01.01.1964, while the defendant has erroneously recorded the same as 1981. That correct birth dates of her elder son namely Ihsan Ullah and second son namely Muhammad Amir are 1989 and 20.04.1997 respectively. She contends that the age difference shown by defendant between her and her children is biologically impossible; hence, the suit.



25

Defendant was 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 defendant heard and record gone through.

Record/family tree reveals that date of birth of the plaintiff is recorded as 1981 by defendant, thus there

Senior Civil Judge
Jalozai
19 OCT 2025

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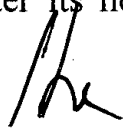
is a gap of 8 year between the date of birth of the plaintiff. Further, it has also been extracted that there is a gap of 16 years 3 months 19 days between the date of birth of the plaintiff and her second son namely Muhammad Amir, which is very unnatural.

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 of birth of plaintiff is declared as 01.01.1964. Defendant is advised to bring their record in line with this judgment. Costs shall follow the events.

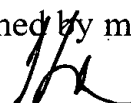
File be consigned to record room after its necessary completion and compilation.

ANNOUNCED
17.10.2025


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

CERTIFICATE

It is certified that this judgment consists of 03 pages. Each page has been dictated, read, corrected and signed by me.


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