

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

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Suit No.....107/1 of 2025.

Date of Institution.....19.07.025.

Date of decision.....30.09.2025.

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Tarkha Meena W/O Khial Bahadar R/O Qaum Sheikhan, Tappa  
Bazeed Khel, Lower District Orakzai .....(Plaintiff)

Versus

1. Chairman NADRA Islamabad.
2. Assistant Director NADRA Orakzai.
3. Director General NADRA Khyber Pakhtunkhwa Orakzai.

.....(Defendants)


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**SUIT FOR DECLARATION & PERMANENT INJUNCTION.**

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**Judgment:**

**30.09.2025**

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

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

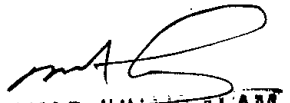
Brief facts of the case are that plaintiff brought the instant suit for  
declaration cum-permanent injunction to effect that correct date of birth of  
plaintiff is **01.01.1967**, however; it is wrongly entered in the record of  
defendants as **01.01.1960** which is wrong, illegal and ineffective upon the  
rights of plaintiff and liable to be rectified. That defendants 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.

**AMENDED ISSUES**

1. Whether plaintiff has got cause of action? OPP
2. Whether correct date of birth of plaintiff is 01.01.1967 while defendants have incorrectly entered the same as 01.01.1960? OPP
3. Whether plaintiff is entitled to the decree as prayed for? OPP
4. Relief?

  
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 Civil Judge / JM-II  
 Qarkazi at Kalaya

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.

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, attorney for plaintiff appeared and deposed as PW-01 and reiterated the averments of plaint. He stated that correct date of birth of plaintiff as per birth

certificate is 01.01.1967 while defendants have incorrectly entered the same is 01.01.1960. Copy of CNIC of plaintiff is Ex.PW-1/1 and special attorney is Ex.PW-1/2. Birth certificate is Ex.PW-1/3. Copy of his CNIC is Ex.PW-1/4.

During cross examination he stated that correct date of birth of plaintiff is 01.01.1967. He further stated that he did not went to NADRA officer with plaintiff when she obtained her CNIC. He did not know when plaintiff obtained her first CNIC. Plaintiff is illiterate and her age is about 55 years.

Fazal Shah relative of plaintiff appeared and deposed as PW-02. Correct date of birth of plaintiff is 01.01.1967. One Khaista Gul is the brother of plaintiff. Copy of his CNIC is Ex.PW-2/1.

During cross examination he stated that plaintiff is her relative.

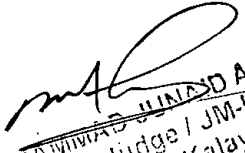
Plaintiff is younger than me. Plaintiff have four other sisters.

Khaista Gul brother of plaintiff appeared and deposed as PW-

03. He stated that plaintiff is her real sister. Who is younger than me.

He further stated that he has four other sisters as well. Correct date of birth of plaintiff is 01.01.1967. Copy of his CNIC is Ex. PW-3/1. The witness has been cross examined but nothing contradictory has been extracted out of him. Thereafter, evidence of plaintiff was closed.

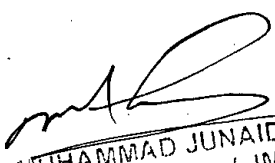
Iftekhhar Ahmad (Representative of NADRA) appeared and deposed as DW-1. He produce family tree of plaintiff consist of 02 pages are Ex.DW-1/1 and Ex.DW-1/2. Per family tree correct date of birth of plaintiff is 01.01.1960. He stated that plaintiff has been issued CNIC as per information provided by plaintiff. He further

  
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stated that as per birth certificate issued by Union Council changing in date of birth is possible. That according to NADRA SOP, for a change of date of birth more than 5 years, special approval from NADRA DG Operations through the Zonal Board is required. He lastly requested for dismissal of suit of plaintiff.

During cross examination he stated that it is correct that as per birth certificate correct date of birth of plaintiff is 01.01.1967. It is also true that according to NADRA SOPs, it is possible to change the date of birth on the basis of birth certificate.

Claim of plaintiff is that his true and correct date of birth is **01.01.1967**, but defendants have incorrectly recorded the same as **01.01.1960** in their record, which is wrong and liable to be rectified. Plaintiff produced her birth certificate. Oral evidence produced by plaintiff is also supportive to the averments of plaint. Defendants failed to establish that the exhibited record in favor of plaintiff is managed or manipulated one. Plaintiff produced cogent, convincing and reliable documentary as well as oral evidence in support of her claim and contention.

  
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Keeping in view the above discussion and documentary as well as oral evidence available on file, it is held that correct date of birth of plaintiff is **01.01.1967**, which is also recorded in her birth certificate. Issue decided accordingly.

**ISSUES NO.1 & 3.**

In the light of foregoing discussion, plaintiff has proved her stance through cogent, convincing and reliable documentary and oral

evidence; therefore, she has got cause of action and is entitled to the decree, as prayed for. Both these issues are decided in positive in favor of plaintiff.

**RELIEF.**

Crux of my issue wise discussion is that suit of the plaintiff is hereby decreed in his 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 plaintiff, if any.

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

**ANNOUNCED**

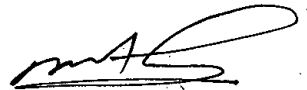
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**Muhammad Junaid Alam**  
**Civil Judge-II Tehsil Court Kalaya**

**CERTIFICATE**

It is certified that this judgment consists of 05 pages. Each page has been dictated, read, corrected and signed by me.



**Muhammad Junaid Alam**  
**Civil Judge-II, Tehsil, Kalaya**