

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

Suit No.....73/1 of 2025
Date of Institution..... 04.10.2025
Date of Decision.....24.10.2025
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Mst. Bibi Jana w/o Shamdar Khan, R/O Qoum Ali
Akhel, Tappa Emal Khan Khel, District Orakzai.
.....(Plaintiff)

Versus

- 1. Assistant Director NADRA, Orakzai.
 - 2. Director General Nadra, KPK Peshawar Hayat Abad.
 - 3. Chairman Nadra, Pakistan, Islamabad.
- (Defendants)

SUIT FOR DECLARATION & PERMANENT INJUNCTION

SUMMARY JUDGMENT

24.10.2025

This judgment decides instant case filed by Mst. Bibi Jana for correction of her date of birth as maintained by the defendants.

Pleadings:

Facts as recounted in the plaint reads that correct birth date of the plaintiff is 01.01.1971, while the defendants have erroneously recorded the same as 01.01.1989. That correct birth

dates of her elder son namely Abdul Qadir, second son namely

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Sawid and third son namely Ahmad Ullah are 01.01.1992, 01.01.1994 and 01.01.2004 respectively. She contends that the age difference shown by defendants between her and her children is biologically impossible; hence, the suit.

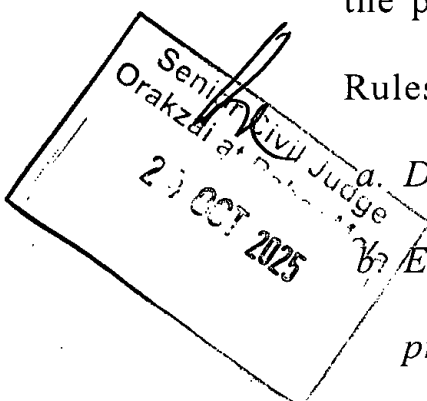
Defendants were summoned who appeared through their representative namely Mr. Iftikhar Ahmad, who submitted written statement. He concedes that as per their policy unnatural gap between parent and child is a genuine ground for seeking correction of records.

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 defendants heard and record gone through.

Record/family tree reveals that date of birth of the plaintiff is recorded as 01.01.1989 by defendants, thus there is a gap of 3 year between the date of birth of the plaintiff and her elder son namely Abdul Qadir. Further, it has also been extracted that there is a gap of 05 and 15 years respectively, between the date of birth of the plaintiff and her second and third son namely Sawid and Ahmad Ullah, 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 01.01.1971. Defendants are


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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
24.10.2025


(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)