

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

Suit No..... 48/1 of 2025.

Date of Institution..... 04.07.2025.

Date of Decision.....20.09.2025.

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**Noor Islam s/o Gul Bahadar, R/O Qoum DDM, Tappa
Hadi Nawasi, Tehsil Upper, District Orakzai.**

.....(Plaintiff)

Versus

1. Assistant Director NADRA, Orakzai,

Through Representative.

..... (Defendant)

SUIT FOR DECLARATION & PERMANENT INJUNCTION

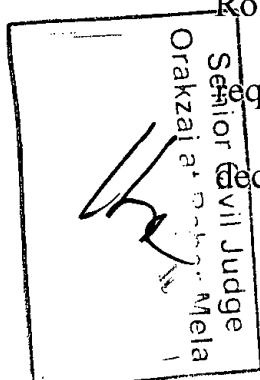
JUDGMENT

20.09.2025

This judgment decides instant case filed by Mr. Noor Islam for correction of his mother's name in his record as maintained by the defendant.

Pleadings:

The claim as related in the plaint reads that correct name of the real mother of the plaintiff is Mst. Razima Bibi while the defendant has wrongly recorded his mother's name as Mst. Rosia (step mother). It is alleged that when defendant was requested to rectify the mistake extra-judicially, defendant declined, hence the suit.



In rebuttal, the defendant has raised the regular objections to the legal validity of the claim, the standing of the plaintiff, and factual version of the matter. He asserts that all the particulars regarding mother name was supplied by the plaintiff himself and are recorded correctly.

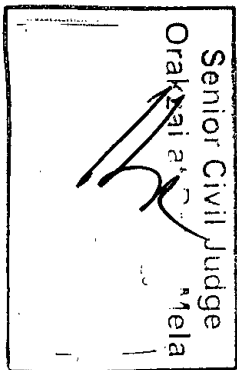
The controversy as related in the pleadings was distilled into the following issues:

Issues:

1. Whether suit is valid in its legal frame, and the court is competent to hear it?
2. Whether correct name of the real mother of the plaintiff is Mst. Razima Bibi while the defendant has wrongly entered their names as Mst. Rosia (step mother)?
3. Relief.

Thereafter, both sides were invited to produce their evidence to establish the positions they had taken in their pleadings.

Witnesses/Exhibits:



Mr. Noor Islam, the plaintiff himself appeared as PW-01, Mr. Khan Gul as PW-02, Mr. Muhammad Tahir, cousin of the plaintiff as PW-03, Mst. Razima Bibi, real mother of the plaintiff as PW-04 and Mr. Iftikhar Ahmad, representative of defendant as DW-01. They have exhibited the following documents;

- Copy of computerized CNIC form of the plaintiff as Ex.PW-1/1.
- Copy of CNIC of mother of the plaintiff as Ex.PW-1/2.
- Family tree of the plaintiff as Ex.PW-1/3.
- Copy of CNIC of plaintiff as Ex.PW-1/4.
- Copy of CNIC of PW-02 as Ex.PW-2/1.
- Copy of CNIC of PW-03 as Ex.PW-3/1.
- Copy of CNIC of PW-04 as Ex.PW- 4/1.
- Family Tree of the plaintiff as Ex. DW-1/1.

Reasons/Reasoning:

Issue wise reasoning of the court following ruling on each issue, and finally on the suit is as follows:

Issue No 01:

This issue questions the legal validity of the frame of the suit, and the competence of the forum to hear it. Plaintiff has sought correction of mother name, which clearly is a civil matter, and thus amenable to the jurisdiction of this court under section 09 of the civil procedure code. Other objections such as limitation etc. were not rigorously pressed, and upon examination of the corpus of the case by the court, were found inapplicable. Therefore, the issue is decided for the plaintiff.

Senior Civil Judge
Orakzai
Mela

Issue No 02:

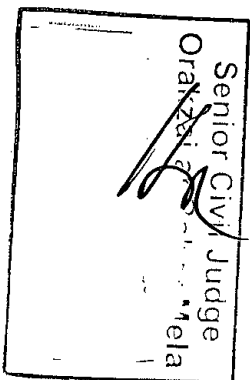
This issue houses the heart of the suit: Correct mother name of the plaintiff.

Mr. Noor Islam, the plaintiff himself, took the stand as PW-01. He supported his stance that his real mother is Razima Bibi. He further narrated the same story as in the plaint and requested for decree of the suit.

Mr. Khan Gul, took the stand as PW-02. He supported the stance of the plaintiff by admitting the fact that plaintiff real mother is Mst. Razima Bibi.

Mr. Muhammad Tahir, took the stand as PW-3. That plaintiff is his cousin. He narrated the same story as in the plaint and requested for decree of the suit

Conversely, Mst. Razima Bibi, mother of the plaintiff, took the stand as PW-04 and admitted the contents of the plaint. She further admitted that Noor Islam is my real son.



Defense's only witness concedes that according to family tree, father name of the plaintiff is Gul Bahadar and mother of the name of the plaintiff is Null (not mentioned in the family tree). According to NADRA SOPs, one of the parents and one of the siblings are required for bio-matric to change and correct the names of the parents but he admitted in his cross-examination that according to tracking ID and registration form issued by Nadra in which the plaintiff has been directed to correct

the mother's name. He also admitted in his cross examination that he has no objection to the correctness of the plaintiff's mother's name.

This issue encapsulates the principal claim of the plaintiff that he is son of Mr. Gul Bahadur from his first wife Mst. Razima, not from his second wife, Mst. Rosiya.

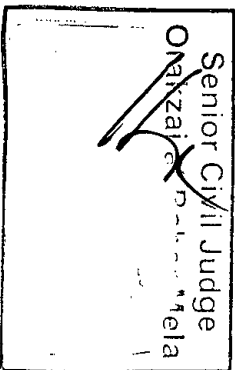
All witnesses including plaintiff himself have consistently held the position as claimed. Of particular significance is the statement of Mst. Razima herself, whom the plaintiff claim to be her real mother. She has testified as PW-04 and admitted in her statement the claim of the plaintiff that she is her son rather than that of Mst. Rosiya.

It is not uncommon in this part of the country for persons to commit innocent mistakes in the registration of their particulars with NADRA. The fact that plaintiffs step mother was recorded as his real mothers adds strength to his claim. Further, the statement of the real mother admitting plaintiff to be her real son concludes the quest.

In view of the foregone, the issue is decided for the plaintiff.

RELIEF:

Crux of my issue wise discussion is that suit of the plaintiff is hereby decreed in his favor against the defendant as prayed for. *The correct name of the mother of the plaintiff is*




(43)

declared as Mst. Razima Bibi. Defendant shall bring their records in line with this judgment. Costs shall follow the event.

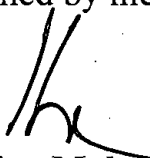
File be consigned to record room after its necessary completion and compilation.

ANNOUNCED
20.09.2025


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

CERTIFICATE

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


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