

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

Suit No.....111/1 of 2025.

Date of Institution.....28.07.2025.

Date of decision.....03.09.2025.

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Awais Ahmad S/O Muhabbat Khan R/O Qoum Bezot, Tappa Betani,  
Tehsil Lower District Orakzai .....(Plaintiff)

Versus

1. Chairman NADRA Islamabad.
2. DG NADRA Peshawar.
3. AD NADRA Kalaya Orakzai.

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

.....(Defendants)

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**SUIT FOR DECLARATION & PERMANENT INJUNCTION.**

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Judgment:

03.09.2025

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 **23.12.2006**, however; it is wrongly entered in the Form-B of plaintiff by defendants as **20.03.2011** 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.

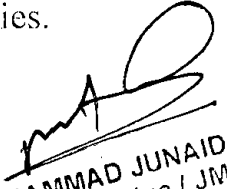


After institution of the suit, defendants were summoned, who marked their attendance through representative and contested the suit by filing written statement. In the written statement the defendants have raised several legal and factual objections.

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

**ISSUES**

1. Whether plaintiff has got cause of action? OPP
2. Whether correct date of birth of plaintiff is 23.12.2006 while defendants have incorrectly entered the same in the Form-B as 20.03.2011? OPP
3. Whether plaintiff is entitled to the decree as prayed for? OPP
4. Relief?

  
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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, plaintiff in support of his claim and contention himself appeared and deposed as PW-01 and

reiterated the averments of plaint. He stated that he did not obtained CNIC, however, he obtained Form-B in the year 2018. On that time, Form-B of his sister was already made and his date of birth is inadvertently recorded as 20.03.2011. Form-B is Ex.PW-1/1. He further stated that he is illiterate and his correct date of birth as per polio vaccine card issued in the year 2007 as 23.12.2006. Polio vaccine card is Ex.PW-1/2. He lastly requested for decree of suit.


During cross examination he stated that we are 12 brother/sister. He stated that he is illiterate. He further stated that he did not know when he obtained Form-B. His father obtained his Form-B for his pension record.

Zahid Khan, brother of plaintiff appeared and deposed as PW-02. True and correct date of plaintiff as per Polio vaccine card as 23.12.2006, however, defendant have incorrectly entered the same as 20.03.2011. He further stated that plaintiff is illiterate. Copy of his CNIC is Ex. PW-2/1.

During cross examination he stated that date of birth of plaintiff is 2006. Nadia Bibi is younger than plaintiff. Age of Nadia bibi is about 13/14 year.

Muhammad Hamza, cousin of plaintiff appeared and deposed as PW-03. He also supported plea of plaintiff. 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.

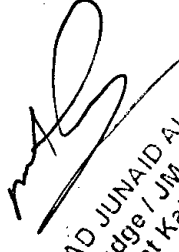
  
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Iftekhar Ahmad (Representative of NADRA) appeared and deposed as DW-1. He produced family tree of plaintiff is Ex. DW-1/1 and NADRA registration form is Ex. DW-1/2 respectively. As per family tree correct date of birth of plaintiff is 20.03.2011. That father of plaintiff obtained Form-B. He further stated that Form-B has been issued to plaintiff as per information provided by father of plaintiff and lastly requested for dismissal of suit of plaintiff.

During cross examination he stated that it is correct that father of plaintiff did not submit birth certificate alongwith NADRA registration form. He further stated that it is correct polio vaccine card is original.

Claim of plaintiff is that his true and correct date of birth is **23.12.2006**, but defendants have incorrectly recorded the same in Form-B of plaintiff as **20.03.2011** in their record, which is wrong and liable to be rectified. 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 is a young person and could not be presumed to have instituted the suit for any undue advantage or ulterior motive. Plaintiff produced cogent, convincing and reliable documentary as well as oral evidence in support of his claim and contention.

Keeping in view the above discussion and documentary as well as oral evidence available on file, it is held that correct date of

  
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birth of plaintiff is 23.12.2006, which is also recorded in his polio vaccine card. Issue decided accordingly.

**ISSUES NO.1 & 3.**


In the light of foregoing discussion, plaintiff has proved his stance through cogent, convincing and reliable documentary and oral evidence; therefore, he 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**  
**03.09.2025**



**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**