

(25) (26)

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

Suit No.....57/1 of 2025

Date of Institution.....18.07.2025

Date of Decision.....31.10.2025

=====

Zain Gul s/o Khaista Gul, R/O Qoum Mamozai, Tappa Meer
Kalam Khel, District Orakzai.

.....(Plaintiff)

Versus

1. Registrar General NADRA, Islamabad
2. Deputy Registrar General NADRA, Peshawar.
3. Assistant Director Nadra, Orakzai.

..... (Defendants)

=====

SUIT FOR DECLARATION & PERMANENT INJUNCTION

=====

JUDGMENT

31.10.2025

This judgment decides instant case filed by Zain Gul
for correction of his date of birth as maintained by the
defendants.

Pleadings:

Facts as recounted in the plaint reads that correct date
of birth of the plaintiff is 01.07.1984 according to service record
while the defendants have erroneously recorded the same as
1973; hence, the suit.

Senior Civil Judge
Orakzai at Baber Mela
31.10.2025

26/27

In rebuttal, the representative for the defendants has raised the regular objections to the legal validity of the claim, the standing of the plaintiff, and factual version of the matter. He concedes that according to family tree, date of birth of the plaintiff is 1973.

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

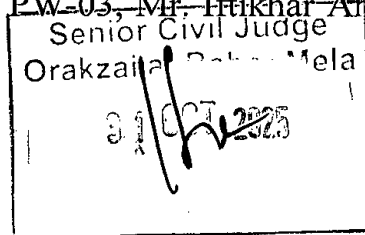
Issues:

1. *Whether suit is valid in its legal frame, and the court is competent to hear it?*
2. *Whether correct date of birth of the plaintiff is 01.07.1984 while the same has been erroneously recorded as 1973 by the defendants?*
3. *Relief.*

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

Witnesses/Exhibits:

Mr. Zain Gul s/o Khaista Gul, the plaintiff himself took the stand as PW-01, Mr. Atif Ullah s/o Aslam Khan, Record Keeper of Police Orakzai as PW-02, Aziz Gul s/o Kasteer Gul, son in law of plaintiff as PW-03, Mr. Iftikhar Ahmad as DW-01



28

and Mr. Waqas Ahmad Sub Accountant as CW. They have exhibited the following documents;

- i. Copy of CNIC of plaintiff as Ex.PW-1/1.
- ii. Service record of the plaintiff as Ex.PW-2/1.
- iii. Medical certificate of the plaintiff as Ex.PW-2/2.
- iv. Appointment order of the plaintiff as Ex.PW-2/3.
- v. Copy of CNIC of PW- 03 as Ex.PW-3/1.
- vi. Family trees of the plaintiff are as Ex-DW-1/1 and Ex.DW-1/2.

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 his date of birth, 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 District Mela
31 OCT 2025

28 29

Issue No 02:

This issue houses the heart of the suit: correct date of birth of the plaintiff. It is claimed that correct date of birth of the plaintiff is 01.07.1984 according to service record while the defendants have erroneously recorded the same as 1973.

Plaintiff has alleged error against his entire record maintained by the defendants. However, in his support, he could furnish any document to testify for his claim.

NADRA representative was requested to furnish CNIC record of the plaintiff to ascertain the date he first acquired his CNIC. Record was duly submitted, and it was explained that in 2013, plaintiff renewed his CNIC which means that he had acquired it somewhere around 2009.

It is pertinent to highlight that he was inducted into service in the year 2012. Clearly, he was a CNIC holder then, but in his service record, he is held to have been born on 01/07/84. Further, he was accorded 3 years age relaxation to bring him down to the eligible age for recruitment.

Presumably, plaintiff failed to disclose his CNIC at the time of recruitment presumably so he could claim eligibility for a post for which he was clearly ineligible. Now, the plaintiff desires the court to correct his CNIC for him by 11 long years.

Senior Civil Judge
Orakzai District Mela
01/07/2025

(29) (30)

The court, in view of the give record, does not find the plea acceptable. The issue is decided against the plaintiff.

RELIEF:

Crux of my issue wise discussion is that as plaintiff failed to prove his claim through cogent, convincing and reliable documentary and oral evidence, therefore, suit of the plaintiff is hereby **dismissed**. Costs shall follow the event.

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

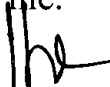
ANNOUNCED

31.10.2025


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

CERTIFICATE

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


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