

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

Civil Suit No. 155/1 of 2025
Date of Original Institution: 23.09.2025
Date of Decision: 28.10.2025

KHAN MALOOK SON OF WALAYAT KHAN,
RESIDENT OF QOM FEROZ KHEL, TAPA QASIM
KHEL, DISTRICT ORAKZAI

..... (PLAINTIFF)

VERSUS

1. CHAIRMAN, NADRA, ISLAMABAD
2. DIRECTOR GENERAL NADRA, PESHAWAR
3. ASSISTANT DIRECTOR, NADRA DISTRICT ORAKZAI

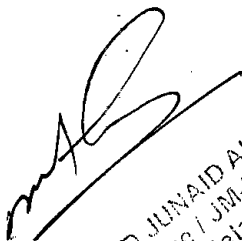
.....(DEFENDANTS)

**SUIT FOR DECLARATION -CUM- PERPETUAL AND
MANDATORY INJUNCTION**

JUDGMENT

28.10.2025

1. Brief facts of the case in hand are that plaintiff have brought the instant suit for declaration, permanent and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that correct father's name of plaintiff is **Walayat Khan** and correct address of plaintiff is Qaum Feroz Khel, Tappa Qasim Khel, larrey, Post Office Feroz Khel, Tehsil Lower District Orakzai, while defendants have incorrectly entered the father's name of plaintiff as Amin Khan


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

and his permanent and temporary address as Anay Bazar Halway Zakha Khel, Landi Kotal, District Khyber in their record, which are wrong, ineffective upon the rights of the plaintiff and liable to correction.

2. Defendants were asked time and again to do the aforesaid correction but they refused, hence, the present suit;
3. Defendants were summoned, who appeared through their representative namely Iftikhar Ahmad and filed his written statement whereby, he objected the suit on factual and legal grounds.
4. Divergent pleadings of the parties were reduced into the following issues;

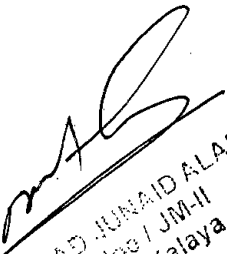
Issues:

1. Whether the plaintiff has got a cause of action?

OPP

2. Whether the correct father's name of plaintiff is Walayat Khan son of Khyail Baz and correct address is Qom Feroz Khel, Tappa Qasim Khel, Larry, Post Office Feroz Khel, Tehsil Lower District Orakzai, while defendants have incorrectly entered the father's name of plaintiff as Amin Khan and his address as Anay Bazar Halwy Zakha Khel, Landi Kotal District Khyber? **OPP**

3. Whether the plaintiff is entitled to the decree as prayed for?


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

4. Relief?

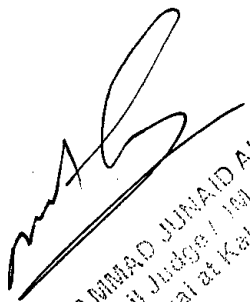
Issue wise findings of this court are as under: -

Issue No. 02:

Whether the correct father's name of plaintiff is Walayat Khan son of Khyail Baz and correct address is Qom Feroz Khel, Tappa Qasim Khel, Larry, Post Office Feroz Khel, Tehsil Lower District Orakzai, while defendants have incorrectly entered the father's name of plaintiff as Amin Khan and his address as Anay Bazar Halwy Zakha Khel, Landi Kotal District Khyber? OPP

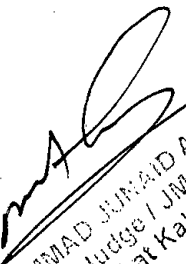
The plaintiff stated in his plaint that correct father's name of plaintiff is **Walayat Khan** and correct address of plaintiff is Qaum Feroz Khel, Tappa Qasim Khel, larrey, Post Office Feroz Khel, Tehsil Lower District Orakzai, while defendants have incorrectly entered the father's name of plaintiff as Amin Khan and his permanent and temporary addresses as Anay Bazar Halway Zakha Khel, Landi Kotal, District Khyber in their record, which are wrong, ineffective upon the rights of the plaintiff and liable to correction.

The plaintiff produced three witnesses in whom, the father of plaintiff is appeared before the court and deposed as PW-01, who produced copy of his CNIC, which is Ex. PW-1/1. He stated that plaintiff


MUHAMMAD JUNAID ALAM
Civil Judge / 1st-11
Orakzai at Kalaya

is his real son and resided with me. We are residing in Tehsil Lower, village Lerray, Orakzai. Defendants have incorrectly entered the father's name of plaintiff as Amin Ullah, which is wrong. He also stated that defendant have also incorrectly entered the address in the CNIC of plaintiff. He lastly requested for decree of the suit in hand. During cross examination he stated that he has six sons including plaintiff. He did not know the one Amin Ullah. The plaintiff is his younger son.

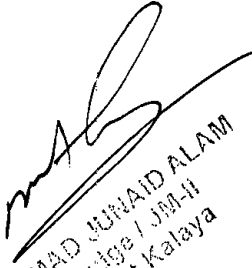
Sabir Ullah son of Walayat Khan, the brother of the plaintiff is appeared and deposed as PW-02, who produced the copy of his CNIC which is Ex. PW-2/1. He stated that the plaintiff is his real brother. His father name is Walayat Khan. Plaintiff is resided with him in one house. Defendants have incorrectly entered the father's name of plaintiff as Amin Ullah and similarly, the address of the plaintiff in his CNIC. He further stated that the domicile certificate of plaintiff is also of District Orakzai. During cross examination nothing contradictory has been extracted out of him.


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

Khan Malook son of Walayat Khan, the plaintiff himself appeared before the court and


deposed as PW-03, who produce copy of his domicile certificate and copy of CNIC which are Ex. PW-3/1 & Ex. PW-3/2 respectively. He stated that Walayat Khan is his father. They are six brothers. We are residing in Tehsil Lower, village Lerray, District Orakzai. He also stated that defendants have incorrectly entered the father's name and address of the plaintiff in the CNIC. During cross examination he stated that he obtained his CNIC in Barra, District Khyber. It is correct that the name of Amin Ullah is incorrectly mentioned in the column of father name. He lastly requested for decree of the suit. Thereafter, plaintiff closed his evidence with a note.

In order to counter the claim of the plaintiff, defendants produced only one witness, the representative of the defendants namely Iftikhar, who appeared as DW-01. He produced family tree of plaintiff which are Ex. DW-1/1 & Ex. DW-1/2. He stated that as per family tree the name of plaintiff is Khan Malook, father's name is Amin Khan and mother's name is Mst. Adila Bibi. He lastly requested for dismissal of the suit. During cross examination he stated that it is correct that in


MUHAMMAD JURAID ALAM
Civil Judge / Jm-II
Orakzai at Kalaya

the Ex. PW-3/1 (domicile certificate), the father's name is clearly mentioned as Walayat Khan. It is also correct that in the Ex. PW-3/1 (domicile certificate), the address of plaintiff is clearly mentioned as Qaum Feroz Khel, Tappa Qasim Khel, village Lerray, Orakzai. It is also correct that the mother's name is correctly mentioned as Mst. Adila Bibi in the family tree of plaintiff. Thereafter, representative for defendants closed his evidence with a note.

In light of above discussion as plaintiff succeeded to prove his stance by producing documentary, cogent, convincing and reliable evidence and nothing in rebuttal has been brought on record by the opposite party. Furthermore, it is also pertinent to mention here that plaintiff produced the domicile certificate, which clear shows that the correct father's name of plaintiff Walayat Khan and address of Section Feroz Khel, sub-section Qasam Khel, village lerray, Orakzai. Hence, in light of above discussion, the issue in hand is hereby decided in positive in favor of plaintiff and against defendants.


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

Issue No. 01 & 03:

Whether the plaintiff has got a cause of action?

OPP

Whether the plaintiff is entitled to the decree as prayed for?

Both these issues are interlinked, hence, taken together for discussion.


As sequel to my findings on issue no. 02 the plaintiff has got a cause of action and therefore, entitled to the decree as prayed for. Thus, both these issues are decided in positive.

RELIEF:

As sequel to my above issue wise findings, the suit of the plaintiff is hereby **decreed** as prayed for. No order as to costs. This decree shall not effect the rights of other person(s) or service record if any.

File be consigned to the District Record Room, Orakzai after its completion and compilation.

Announced
28.10.2025


Muhammad Junaid Alam,
Civil Judge-II,
Tehsil Court, Kalaya, Orakzai.

CERTIFICATE

Certified that this judgment consists of eight
(08) pages, each has been checked, corrected where necessary
and signed by me.



Muhammad Junaid Alam,
Civil Judge-II,
Tehsil Court, Kalaya, Orakzai