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

Suit No.....76/1 of 2025

Date of Institution.....21.10.2025

Date of Decision.....12.12.2025

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Muhammad Arif s/o Ashraf Khan, R/O Talay, Qoum Akhel, Tappa Mohsin Khel, Tehsil Ismail Zai, District Orakzai.

.....*(Plaintiff)*

Versus

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

..... *(Defendants)*

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SUIT FOR DECLARATION & PERMANENT INJUNCTION

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JUDGMENT

12.12.2025

This judgment decides instant case filed by Muhammad Arif 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 06.07.2000 according to Matric Certificate and Birth Certificate while the defendants have

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erroneously recorded the same in the CNIC of plaintiff as 01.09.1995; hence, the suit.

In rebuttal, the representative for the defendants have 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 tracking ID No. 101581041280, date of birth of the plaintiff is 01.09.1995.

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 06.07.2000 while the same has been erroneously recorded as 01.09.1995 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. Muhammad Arif s/o Ashraf Khan, the plaintiff himself took the stand as PW-01, Mst. Bibi Zahira w/o Ashraf Khan, mother of the plaintiff as PW-02, Mr. Iltaf Hussain s/o Taj

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Muhammad, cousin of plaintiff as PW-03, Mr. Iftikhar Ahmad as DW-01. They have exhibited the following documents;

i. Copy of CNIC of plaintiff as Ex.PW-1/1.
ii. Copy of Matric DMC of the plaintiff as Ex.PW-1/2.
iii. Copy of CNIC of PW- 02 as Ex.PW-2/1.
iv. Copy of CNIC of PW- 03 as Ex.PW-3/1.
v. Family trees of the plaintiff are as Ex-DW-1/1 and Ex.DW-1/2.
vi. Nadra registration Form and Birth certificate as Ex. DW-1/3 and Ex.DW-1/4.

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.

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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 06.07.2000 according to Matric Certificate and Birth Certificate while the defendants have erroneously recorded the same as 01.09.1995.

Mr. Muhammad Arif, the plaintiff himself took the stand as PW-01 and repeated the contents and requested for decree of the suit. Mst. Bibi Zahira, the mother of the plaintiff took the stand as PW-02 and repeated the contents and requested for decree of the suit. Mr. Iltaf Hussain, took the stand as PW-03 and repeated the contents of the plaint and requested for decree of the suit.

Defense's only witness maintains that according to family tree the correct date of birth of the plaintiff is 01.09.1995.

NADRA representative was requested to furnish CNIC record of the plaintiff to ascertain that he first acquired his CNIC in the year 2014 according to his birth certificate, he provided and at the time of registration, he declared himself as illiterate. Record was duly submitted.

It is pertinent to highlight that he was 18 years and 6 months at the time of acquiring his CNIC. Plaintiff had not only posed as illiterate at the time, but had supplied a birth certificate

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in respect of the date claimed. The matriculation certificate is acquired 09 years later from AIOU, which offers remote learning and accreditation.

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
12.12.2025

(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)