

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

Suit No.....74/1 of 2025

Date of Institution.....07.10.2025

Date of Decision.....19.12.2025

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**Muhammad Shoaib s/o Raziq Khan, R/O Qoum Ali
Khel, Tappa Mir Was Khel, Tehsil Upper, District
Orakzai.**

.....(Plaintiff)

Versus

1. Chairman Nadra Islamabad.
2. Director General Nadra, Hayatabad Peshawar.
3. Assistant director Nadra, Orakzai.
4. Sajid Khan.

.....(Defendants)

SUIT FOR DECLARATION & PERMANENT INJUNCTION

SUMMARY JUDGMENT

19.12.2025

This judgment decides instant case filed by Muhammad Shoaib for removal of the name of Sajid Khan from his family tree as maintained by defendants.

Pleadings:

Facts as recounted in the plaint reads that plaintiff his 06 brothers and 01 sister while the defendants have erroneously recorded Sajid Khan as brother of the plaintiff in his family tree; hence, the suit.

Senior Civil Judge
Orakzai at Baber Mela
19.12.2025

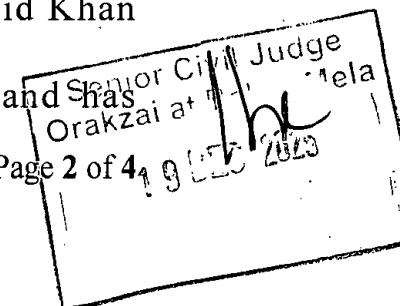
Defendants were summoned who appeared through their representative namely Mr. Iftikhar Ahmad, (32) who submitted written statement.

During the scheduling conference within the meaning of order IX-A of CPC, it was revealed that the matter involves simple adjudication, which can be decided through summary judgement as per relevant record and admitted record. To this effect notice was given to the parties that why not the case in hand be decided on the basis of available record without recording lengthy evidence, as the primary aim and objective of Amended Management Rules in CPC is, “*to enable the court to-*

- a. Deal with the cases justly and fairly;*
- b. Encourage parties to alternate dispute resolution procedure if it considers appropriate;*
- c. Save expense and time both of courts and litigants;*
- and*
- d. Enforce compliance with provisions of this Code.”*

Learned counsel for plaintiff and representative for the defendants heard and record gone through.

Record reveals that name of Sajid Khan (foreigner/Afghan citizen) has been registered in the FRC of plaintiff. Plaintiff alleged in his plaint that Sajid Khan Defendant No.04 is a foreigner/Afghan citizen and



been wrongly entered in the family tree of the plaintiff due to which CNIC of the plaintiff has been blocked by Nadra authorities. Plaintiff filled many applications regarding removal the entry of Sajid Khan from his family tree but in vain hence, the present suit.

Contention of the defendant is that plaintiffs deliberately facilitated the insertion of the alleged foreigner into their family tree, which is an offence. That competent federal authorities have accordingly blocked the CNICs of the plaintiff etc.

Learned representative was requested to refer the court to relevant laws which empower the federal authorities to block the CNIC of a person if he is suspected of or found guilty of having facilitated insertion of a foreigner into his family tree. He could not positively assist the court on the point.

Counsel for plaintiff submitted that deprivation of citizenship is a legal penalty but the categories provided in section 116 of the Citizenship Act are not attracted to the matter in hand.

The court agrees with the plaintiff that section 116 of the citizenship act does not cover the situation in hand. If violation of any law that merits penalty has been committed, the federal government or relevant authorities may proceed to prosecute the plaintiff.

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but to block his CNIC and thereby deprive him of all the benefits of Citizenship in absence of any clear provision by law seems uncalled for.

Consequently, upon what has been discussed above and the jurisdiction vested in this court under order IX-A and XV-A of CPC, suit of the plaintiff is hereby **decreed** as prayed for. Name of Sajid Khan, who is admittedly a foreigner, be removed from the family tree of plaintiff so his CNIC could be unblocked, and it be unblocked accordingly. Needless to say that federal authorities are at liberty to prosecute the plaintiff under relevant laws for all/any offence of which he is suspected to be guilty. Costs shall follow.

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

ANNOUNCED

19.12.2025


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

CERTIFICATE

It is certified that this judgment consists of 04 pages. Each page has been dictated, read, corrected and signed by me.


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