

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

Suit No.....166/1 of 2025.

Date of Institution.....09.10.2025.

Date of decision.....16.12.2025.

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Naheed Bibi W/O Muhammad Ghulam R/O Qoum Utman Khel,
Tappa Aba Khel Tehsil Lower District Orakzai(Plaintiff)

Versus

1. Chairman NADRA.
2. Director General NADRA, Khyber Pakhtunkhwa, Peshawar
3. Assistant Director NADRA, District Orakzai.

.....(Defendants)

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SUIT FOR DECLARATION & PERMANENT INJUNCTION.

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Judgment:

16.12.2025

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 plaintiffs brought the instant suit for declaration cum-permanent injunction to effect that correct date of birth of plaintiff is 01.01.1997 and correct parent names are Ijaz and Neka Mina, however; defendants have incorrect entered the date of birth of plaintiff is 01.01.1980 and parent names are Mina Dar and Islam Bibi which is wrong, illegal and ineffective upon the rights of plaintiffs and liable to be rectified. Similarly, correct date of birth of mother of plaintiff 01.01.1979 which is unnatural with the plaintiff as date of birth of plaintiff as per

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NADRA record as 01.01.1980 resulting into unnatural age difference of 01 years. 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

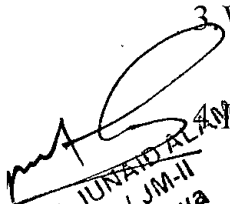
1. Whether plaintiff has got cause of action? OPP
2. Whether correct date of birth of plaintiff is 01.01.1997 and correct parent names are Ijaz and Neka Mina? OPP
3. Whether plaintiff is entitled to the decree as prayed for? OPP
4. Relief?

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.


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During course of recording evidence, attorney for plaintiff appeared and deposed as PW-01 and reiterated the averments of plaint. Special power of attorney is Ex.PW-1/1. He stated that correct date of plaintiff is 01.01.1997 however, defendants have incorrectly entered the same is 01.01.1980. Similarly, correct parent names of plaintiff are Ijaz and Neka Mina are Ex.PW-1/2 & Ex.PW-1/3. But defendants have incorrectly entered the parent names of plaintiff is Mina Dar and Islam Bibi. Death certificate of Mina Dar is Ex.PW-1/4, copy of CNIC of Islam Bib is Ex.PW-1/5 and copy of his CNIC is Ex.PW-1/6. Similarly, the real name of plaintiff is Naheed Bibi while defendant have incorrectly entered the same is Naveed Bibi.

During cross examination he stated that plaintiff is my sister-in-law. Husband of plaintiff is abroad. Islam Bibi and Mina Dar have no relationship with plaintiff. Mina Dar and Islam is the relative of attorney for plaintiff. Mina Dar died in the year 1993. Mina Dar have 06 daughters and 02 sons.


Ijaz, the father of plaintiff appeared and deposed as PW-02. He stated that Naheed Bibi is his real daughter. He stated that correct date of birth of plaintiff is 01.01.1997 and correct parent name of plaintiff are Ijaz and Neka Mina however, defendants have incorrectly entered the date of plaintiff is 01.01.1980 and parent name of plaintiff are Mina Dar and Islam Bibi. Similarly, correct name of plaintiff is Naheed Bibi while defendants have incorrectly entered the same is Naveed Bibi. Copy of his CNIC is Ex.PW-2/1.


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During cross examination he stated that Islam Bibi the relative of husband of plaintiff. He did not know when plaintiff obtained CNIC.

Islam Bibi, relative of plaintiff appeared and deposed as PW-03. She stated that correct date of birth of plaintiff is 01.01.1997 and correct parent name of plaintiff are Ijaz and Neka Mina however, defendants have incorrectly entered the date of plaintiff is 01.01.1980 and parent name of plaintiff are Mina Dar and Islam Bibi. Similarly, correct name of plaintiff is Naheed Bibi while defendants have incorrectly entered the same is Naveed Bibi. Copy of her 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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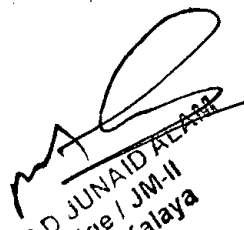
Muhammad Sajid, the brother of plaintiff appeared and deposed as PW-04. He stated that correct date of birth of plaintiff is 01.01.1997 and correct parent name of plaintiff are Ijaz and Neka Mina however, defendants have incorrectly entered the date of plaintiff is 01.01.1980 and parent name of plaintiff are Mina Dar and Islam Bibi. Similarly, correct name of plaintiff is Naheed Bibi while defendants have incorrectly entered the same is Naveed Bibi. Copy of his CNIC is Ex.PW-4/1.

During cross examination he stated that Naheed Bibi is one year elder than me. He further stated that he did not know Naveed Bibi. Plaintiff is illiterate.

Iftekhhar Ahmad (Representative of NADRA) appeared and deposed as DW-1. He produce family tree of plaintiff are Ex.DW-1/1 to Ex.DW-1/2 and NADRA registration form is Ex.DW-1/3. He stated that as per family tree of plaintiff correct date of birth of plaintiff is 01.01.1980 and correct parent name of plaintiff are Mina Dar and Islam Bibi. Similarly, correct name of plaintiff is Naveed Bibi. He further stated that plaintiff has been issued CNIC as per information provided by plaintiff and lastly requested for dismissal of suit of plaintiff.

During cross examination he stated that it is correct that as per statement of Islam Bibi parent names of plaintiff is Ijaz and Neka Mina. It is also correct no biometric of blood relative were obtained in registration form of plaintiff.

Claim of plaintiff is that his true and correct date of birth of plaintiff is 01.01.1997, correct name of plaintiff is Naheed Bibi and correct parent names of plaintiff are Ijaz and Neka Mina, but defendants have incorrectly recorded the date of birth of plaintiff is 01.01.1980, name of plaintiff is Naveed Bibi and parent names are Mina Dar and Islam Bibi, 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


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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 birth of plaintiff is 01.01.1997, correct name of plaintiff is Naheed Bibi and correct parent names of plaintiff are Ijaz and Neka Mina. Issue decided accordingly.

ISSUES NO.1 & 3.

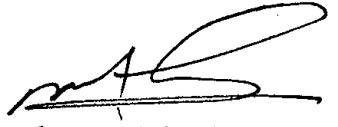
In the light of foregoing discussion, plaintiff has proved his stance through cogent, convincing and reliable documentary and oral evidence; therefore, he has got cause of action and is entitled to the decree, as prayed for. Both these issues are decided in positive in favor of plaintiff.

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
16.12.2025


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CERTIFICATE

It is certified that this judgment consists of 07 pages. Each page has been dictated, read, corrected and signed by me.



Muhammad Junaid Alam
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