(31)

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

Suit No.....89/1 of 2025.

Date of Institution.....17.12.2025.

Date of Decision.....16.02.2026.

= = = = = = = = = = = = =

**Akhtar Bibi d/o Abeel Badshah** R/O Qoum Akhel, Tappa Mohsin Khel, Tawda Mela, Ghiljo Tehsil Upper, District Orakzai.

.....***(Plaintiff)***

**Versus**

1. Chairman NADRA Islamabad
2. Director General NADRA KPK, Peshawar
3. Assistant Director NADRA, District Orakzai.

..... ***(Defendants)***

==========

**SUIT FOR DECLARATION & PERMANENT INJUNCTION**

==========

**JUDGMENT**

16.02.2026

This judgment decides instant case filed by Mst. Akhtar Bibi for correction of birth in her record with the defendants.

**Pleadings:**

The claim as related in the plaint reads that correct date of birth of plaintiff is 01.01.2004 while the defendants have erroneously recorded it as 01.01.2014. It is further alleged that when defendants were requested to rectify the mistake extra-judicially, they declined, hence the suit.

Senior Civil Judge
Orakzai at Baber Mela
16 FEB 2026

In rebuttal, the defendant has raised the regular objections to the legal validity of the claim, the standing of the plaintiff, and factual version of the matter. He asserts that date of birth was supplied by plaintiff mother and is recorded correctly.

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 plaintiff is 01.01.2004?
3. Relief.

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

**Witnesses/Exhibits:**

Mr. Abeel Badshah s/o Sakhi Badshah, father of the plaintiff took the stand as PW-01, Mr. Aman Ullah s/o Sakhi Badshah, uncle of the plaintiff as PW-02, Mr. Rameen Ali s/o Noor Rehman, as PW-03, Mr. Iftikhar Ahmad, representative of defendant as DW-01. They have exhibited the following documents;

1. Special power of attorney of PW-01 is Ex.PW-1/1.
2. Marriage certificate of the plaintiff is Ex.PW-1/2.
3. Copy of CNIC of PW-2 as Ex.PW-2/1.
4. Copy of CNIC of PW-3 as Ex.PW-3/1.

Senior Civil Judge
Orakzai at Baber Mela
16 FEB 2026

5. Family trees of the plaintiff as Ex.DW-1/1 to Ex.DW-1/2.
6. Nadra Registration Form B as Ex. DW-1/3.

**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 records in respect of her 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.

**Issue No 02:**

This issue houses the heart of the suit: whether the correct date of birth of plaintiff is 01.01.2004.

Mr. Abeel Badshah, father of the plaintiff, took the stand as PW-01. He supported the stance of the plaintiff by admitting the fact that the plaintiff is his real daughter and correct date of birth of the plaintiff is 01.01.2004 and requested for decree of the suit.

Senior Civil Judge
Orakzai at Baber Mela
16 FEB 2026

Mr. Aman Ullah, uncle of the plaintiff, took the stand as PW-2. That plaintiff is his nephew. He narrated the same story as in the plaint and requested for decree of the suit.

Mr. Rameen Khan s/o Noor Rehman, cousin of the plaintiff, took the stand as PW-3. He narrated the same story as in the plaint and requested for decree of the suit.

Mr. Iftikhar Ahmad (Representative of NADRA, Orakzai) appeared as DW-01. He produced family trees and registration form of plaintiff as Ex.DW-1/1, Ex.DW-1/2 and Ex.DW-1/3. He stated that plaintiff have been issued CNIC as per information provided by mother (Zareen Bibi) of the plaintiff that he has got no cause of action and that suit of plaintiff is liable to be dismissed. Thereafter, evidence of defendants was closed.

Plaintiff has submitted her marriage certificate available on file as Ex-PW-1/2, wherein she contracted marriage with Mr. Mustaqeem on 23/09/2019.

By the impugned date, if admitted, plaintiff would have entered into marriage at the 05 years, which is clearly an improbability.

Besides, prayers seeking increase in date of birth, generally, are free of ulterior intents as increase rarely confers civil benefits in employment or education.

Senior Civil Judge
Orakzai at Baber Kala
18 FEB 2026

In view of the statements of PW-01 father of the plaintiff and PW-02 uncle of the plaintiff that the correct date of

birth of the plaintiff is held to be 01.01.2004, rather than 01.01.2014. This issue decided in favor of the plaintiff.

***RELIEF:***

Crux of my issue wise discussion is that suit of the plaintiff is hereby decreed in her favor against the defendants as prayed for. The date of birth of plaintiff is judicially settled and declared as 01.01.2004. Defendants shall bring his record in line with this judgment. Costs shall follow the event.

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

**ANNOUNCED**
16.02.2026

**(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)