

**IN THE COURT OF NOOR UL HAQ
CIVIL JUDGE-II, TEHSIL COURT, KALAYA**

Suit No.....7/1 of 2026.

Date of Institution.....09.02.2026.

Date of decision.....15.07.2026.

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Sayed Raza Ali Shah S/O Sayed Ali Shah R/O Bar Muhammad Khel,
Tappa Baba Nawasi, Tehsil Lower District Orakzai(Plaintiff)

Versus

1. NADRA through chairman Islamabad.
2. NADRA through DG, Peshawar Khyber Pakhtunkhwa.
3. NADRA through AD, District Orakzai.

.....(Defendants)

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SUIT FOR DECLARATION & PERMANENT INJUNCTION.

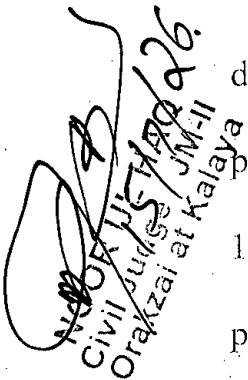
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Judgment:

15.07.2026

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 plaintiff brought the instant suit for declaration cum-permanent injunction to effect that correct date of birth of plaintiff is 13.05.2008 but defendants have incorrectly entered the same as 13.05.2011 which are wrong, illegal and ineffective upon the rights of plaintiff and liable to be rectified. That defendants were asked time and again to do the needful but in vain, hence the present suit.


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After institution of the suit, defendants were summoned. Defendants No.1 to 03 marked their attendance through representative and contested the suit by filing written statement. In the written statement representative of 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 **13.05.2008** but defendants have incorrectly entered the same as **13.05.2011**? 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 counsel for plaintiff and contesting defendants 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.

During course of recording evidence, plaintiff himself appeared and deposed as PW-01. He stated that his correct date of birth is 13.05.2008 but defendants have incorrectly entered his date of birth is 13.05.2011. From-B is Ex.PW-1/1. He further stated that

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he is 2 years younger from his sister namely Nadi Zahra. Date of birth of Nadi Zahra is 25.04.2006. He lastly requested for decree of the suit in his favour. During cross examination he stated that he is illiterate. He further stated that he did know that his father obtained his Form-B on school birth certificate. It is also correct that his father is illiterate.

Bibi Uzra, mother of plaintiff appeared and deposed herself as PW-02. She stated that correct date of birth of plaintiff is 13.05.2008. She further stated that plaintiff is 2 years younger than Nadi Zahra. She only knew that plaintiff was born after 2 years of Nadi Zahra. Copy of her CNIC is Ex.PW-2/1. During cross examination she stated that she is illiterate. It is correct that plaintiff born after 2 years of Nadi Zahra.

Sayed Alam Shah brother of plaintiff appeared and deposed as PW-03. He stated that plaintiff is his brother. Correct date of birth of plaintiff is 13.05.2008. He further stated that plaintiff is 2 years younger than Nadi Zahra.

The witness has been cross examined. During cross examination he stated that plaintiff is illiterate. Self-stated that plaintiff is 02 years younger than Nadi Zahra. It is incorrect that Sayed Wahid Ali Shah is younger than plaintiff.

Thereafter, evidence of plaintiff was closed.

Iftekhhar Ahmad (Representative of NADRA) appeared and deposed as DW-1. He produce family tree of plaintiff is Ex.DW-1/1 & Ex.DW-1/2, NADRA registration form is Ex.DW-1/3, school birth

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certificate is Ex.DW-1/4, Smart Card Ex.DW-1/5 & Form-B is Ex.DW-1/6, as per which plaintiff obtained his Form-B on school birth certificate in year 2021. Similarly, plaintiff obtained his Smart Card having tracking ID No. 10148117355. He lastly requested for dismissal of suit of plaintiff.

During cross examination he stated that it is correct that mother of plaintiff present before the court for the purpose to record her statement, who is fit and mentally balanced. It is also correct that Mem Ullah Hassan is mentioned as father of plaintiff in his family tree.

Claim of plaintiff is that his true and correct date of birth as **13.05.2008** but defendants have incorrectly recorded date of birth of plaintiff is **13.05.2011** in their record, 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.

Mother of plaintiff namely Bibi Uzra appeared before the court and recorded her statement as PW-02 which support claim and contention of plaintiff. Plaintiff produced cogent, convincing 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 **13.05.2008**. Issue decided accordingly.

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ISSUES NO.1 & 3.

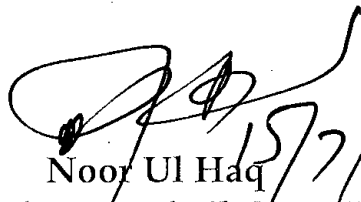
In the light of foregoing discussion, plaintiff has proved his stance through cogent, convincing and oral evidence; therefore, he has got cause of action and is entitled to the decree, as prayed for. Both these issues are decided in positive in favor of plaintiff.

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.

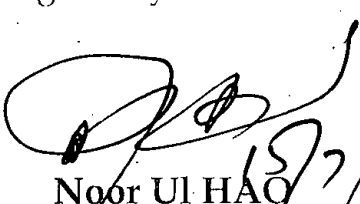
File be consigned to record room after its necessary completion and compilation.

ANNOUNCED
15.07.2026.


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Civil Judge-II Tehsil Court Kalaya
District Orakzai

CERTIFICATE

It is certified that this judgment consists of 05 pages. Each page has been dictated, read, corrected and signed by me.


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Noor Ul Haq
Civil Judge-II, Tehsil, Kalaya
District Orakzai