

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

Civil Suit No.	152/1 of 2025
Date of Original Institution:	22.09.2025
Date of Decision:	16.06.2026

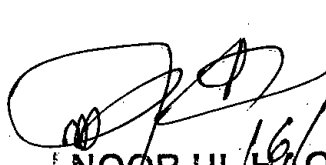
AWAL GUL SON OF NAZEER KHAN, RESIDETN
OF QOM UTHMAN KHEL, TAPPA BAZRAN KHEL,
DISTRICT ORAKZAI

..... (PLAINTIFF)

VERSUS

1. CHAIRMAN, NADRA, ISLAMABAD
2. DIRECTOR GENERAL NADRA, PESHAWAR
3. ASSISTANT DIRECTOR, NADRA DISTRICT ORAKZAI

.....(DEFENDANTS)


16/6/26.
NOOR UL HAQ
Civil Judge / JM-II
Orakzai at Kalaya

**SUIT FOR DECLARATION -CUM- PERPETUAL AND
MANDATORY INJUNCTION**

JUDGMENT

16.06.2026

1. Brief facts of the case in hand are that plaintiff have brought the instant suit for declaration, permanent and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that correct parent's name of plaintiff are Nazir Khan & Ziram Jan, while defendants have incorrectly entered the same are Maidan Gul and Barkat Jan respectively in their record, which are wrong, ineffective upon the rights of the plaintiff and liable to correction.

2. Defendants were asked time and again to do the aforesaid correction but they refused, hence, the present suit;
3. Defendants were summoned, who appeared through their representative namely Iftikhar Ahmad, and filed his written statement whereby, he objected the suit on factual and legal grounds.
4. Divergent pleadings of the parties were reduced into the following issues;

Issues:

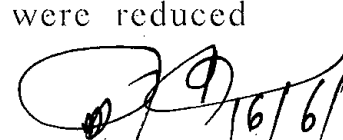
1. **Whether the plaintiff has got a cause of action?**
OPP
2. **Whether the correct parent names are Nazir Khan Ziram Jan respectively while defendants have incorrectly entered the same are Maidan Gul and Barkat Jan in their record? OPP**
3. **Whether the plaintiff is entitled to the decree as prayed for?**
4. **Relief?**

Issue wise findings of this court are as under: -

Issue No. 02:

Whether the correct parent names are Nazir Khan Ziram Jan respectively while defendants have incorrectly entered the same are Maidan Gul and Barkat Jan in their record? OPP

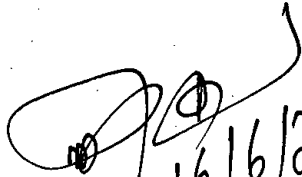
The plaintiff stated in his plaint that correct parent's names of plaintiff are Nazir Khan & Ziram


16/6/26
NOOR UL HAQ
Civil Judge / JM-II
Orakzai at Kalaya

Jan, while defendants have incorrectly entered the same are Maidan Gul and Barkat Jan respectively in their record, which are wrong, ineffective upon the rights of the plaintiff and liable to correction.

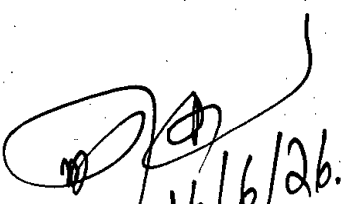
The plaintiff produced 04 witnesses in whom, one Mst. Barkat Jan wife of Maidan Gul is appeared before the court and deposed as PW-01. She stated on oath, that plaintiff is the son of her brother-in-law, whereas defendants entered her son in their record, which is wrong. She further stated that correct father's name of plaintiff is Nazir Khan.

Her husband namely Maidan Gul and Nazir Khan are brothers. She further stated that she has only one son, whose name is Warkhmin Gul. Besides him, she has no other son or daughter. Plaintiff is not her son while he is her brother-in-law. Defendants have incorrectly recorded in their record. She lastly produced copies of her CNIC and her husband death certificate, which are Ex. PW-1/1 & Ex. PW-1/2 respectively. She also stated that the correct mother's name of plaintiff is Ziram Jan. She lastly, requested for decree of the suit. During cross examination she stated that Ziram Jan has only one son i.e. plaintiff. She stated in her cross


16/6/26,
NOOR UL HAQ
Civil Judge / JM-II
Orakzai at Kalaya

examination that plaintiff is the husband of her daughter.

Awal Gul son of Nazir Khan, plaintiff himself appeared in the witness box as PW-02. He narrated the previous stance as stated in the plaint. During cross examination he stated that at the time of obtaining his National Identity Card, he took the National Identity Card of one Sharif Khan. the said Sharif Khan, son of Maidan Gul, was his cousin, being the son of his paternal uncle. He further stated in his cross examination he stated that his mother name is Ziram Jan while father name is Nazir Khan.


16/6/26.
NOOR UL HAQ
Civil Judge / JM-II
Orakzai at Kalaya

Razi Khan son of Setara Kahn, the step-brother of the plaintiff is appeared and deposed as PW-04. He stated that his mother was married with his father and later on married with Nazir Khan. He produced copy of his CNIC, which is Ex. PW-4/1. He lastly requested for decree of the suit. During cross examination he stated that Ziram Jan is his mother as well as of the plaintiff.

Maroof Khan son of Abdul Khaliq, appeared and deposed as PW-05. He stated on oath in light and support of the stance of plaintiff as narrated in

the plaintiff. During cross examination nothing tangible has been extracted out of him.

In order to counter the claim of the plaintiff, defendants produced only one witness, the representative of the defendants namely Iftikhar, who appeared as DW-01. He produced family tree of plaintiff which are Ex. DW-1/1 & Ex. DW-1/2. He stated that as per family tree the parent names of plaintiff are Meeran Gul and Mst. Barkat Bibi. He lastly requested for dismissal of the suit. During cross examination he admitted that it is correct that Razi Khan, the step-brother of plaintiff and Mst. Barkat Jan, both of whom are alive, appeared in the Court and deposed in favour of the plaintiff. Thereafter, representative for defendants closed his evidence with a note.

In light of above discussion as plaintiff succeeded to prove his stance by producing cogent, convincing and reliable evidence and nothing in rebuttal has been brought on record by the opposite party. Hence, in light of above discussion, the issue in hand is hereby decided in positive in favor of plaintiff and against defendants.

16/6/26
NOOR UL HAQ
 Civil Judge / JM-II
 Orakzai at Kalaya

Issue No. 01 & 03:

Whether the plaintiff has got a cause of action?

OPP

Whether the plaintiff is entitled to the decree as prayed for?

Both these issues are interlinked, hence, taken together for discussion.

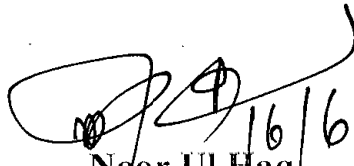
As sequel to my findings on issue no. 02 the plaintiff has got a cause of action and therefore, entitled to the decree as prayed for. Thus, both these issues are decided in positive.

RELIEF:

As sequel to my above issue wise findings, the suit of the plaintiff is hereby **decreed** as prayed for. No order as to costs. This decree shall not effect the rights of other person(s) or service record if any.

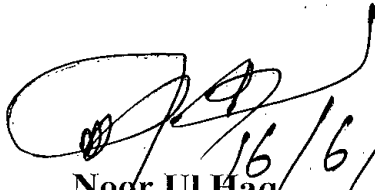
File be consigned to the District Record Room, Orakzai after its completion and compilation.

Announced
16.06.2026


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

CERTIFICATE

Certified that this judgment consists of seven
(07) pages, each has been checked, corrected where necessary
and signed by me.


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