

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

Suit No.....33/1 of 2026.

Date of Institution.....08.06.2026.

Date of decision.....29.07.2026.

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Muhammad Ilyas S/O Shamshad Ali R/O Qoum Mani Khel, Tappa Sabzi Khel, Tehsil Lower District Orakzai(Plaintiff)

Versus

1. NADRA through chairman Islamabad.
2. NADRA through DG, Peshawar Khyber Pakhtunkhwa.
3. NADRA through AD, District Orakzai.
4. Board of Intermediate & Secondary Education Kohat, KPK.

.....(Defendants)

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SUIT FOR DECLARATION & PERMANENT INJUNCTION.

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Judgment:

29.07.2026

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 as CNIC issued by defendant No.1 to 03 is **11.05.1996**, however; it is wrongly entered in the record of defendant No.4 as **11.05.1993** which is 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.

NOOR UL HAQ
Civil Judge/JM-II
Orakzai/Kalaya
29/07/2026

After institution of the suit, defendants were summoned. Defendant No.1 to 03 marked their attendance through representative and filed written statement. As per written statement filed by representative of defendant No.1 to 03, if the court decree suit against defendant No.04 they have got no objection. Defendant No.04 proceeded ex-parte despite proper service.

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 as per CNIC issued by defendant No.1 to 03 is 11.05.1996 while defendant No.04 have incorrectly entered the same as 11.05.1993? OPP
3. Whether plaintiff is entitled to the decree as prayed for? OPP
4. Relief?

Plaintiff produced evidence. Ex-parte evidence of plaintiff recorded as PW-01 to PW-03.

After the completion of ex-parte evidence, arguments of the counsel for plaintiff heard and record of the case file was gone through with his valuable assistance.

My issue wise findings are as under: -

ISSUE NO.02.

During course of recording evidence, plaintiff in support of his claim and contention himself appeared and deposed as PW-01 and

28/12/26
NOOR UL HAQ
Civil Judge / JM-II
Orakzai at Kalaya

reiterated the averments of plaintiff. He stated that his correct date of birth as per NADRA record is 11.05.1996. Copy of his CNIC is Ex.PW-1/1. Defendant No.04 has incorrectly entered his date of birth as 11.05.1993. Copy of DMC is Ex.PW-1/2, SSC Examination Certificate is Ex.PW-1/3. Cross nil as defendant No.04 is proceeded ex-parte.

Aswan Ali, cousin of plaintiff appeared and deposed as PW-02. He stated that correct date of birth of plaintiff as per NADRA record is 11.05.1996. Defendant No.04 has incorrectly entered his date of birth as 11.05.1993. Copy of his CNIC is Ex.PW-2/1. Cross nil as defendant No.04 is proceeded ex-parte.

Amjid Ali, relative of plaintiff appeared and deposed as PW-02. He stated that correct date of birth of plaintiff as per NADRA record is 11.05.1996. Defendant No.04 has incorrectly entered his date of birth as 11.05.1993. Copy of his CNIC is Ex.PW-3/1. Cross nil as defendant No.04 is proceeded ex-parte.

Thereafter, ex-parte evidence of plaintiff was closed.

Claim of plaintiff is that his true and correct date of birth of plaintiff as per NADRA record is 11.05.1996, but defendant No.04 have incorrectly recorded the same as 11.05.1993 in his record, which is wrong and liable to be rectified. Oral evidence produced by plaintiff is also supportive to the averments of plaintiff. Defendant No.04 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


NOOR ZAFAR / 26
Civil Judge / JM-II
Orakzai, Kalaya

or ulterior motive. Plaintiff produced cogent, convincing as well as oral evidence in support of his claim and contention. Representative of defendant No.1 to 03 submitted written statement, where he stated that date of birth of plaintiff as per his record 11.05.1996, which also support the stance of plaintiff. Date of birth of plaintiff correctly mentioned as 11.05.1996 in his CNIC.

Keeping in view the above discussion as well as oral evidence available on file, it is held that correct date of birth of plaintiff is **11.05.1996**. Issue decided accordingly.

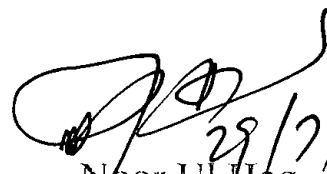
ISSUES NO.1 & 3.

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.

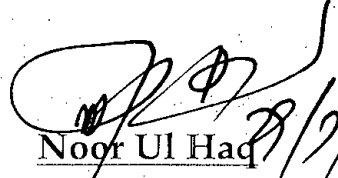
Crux of my issue wise discussion is that suit of the plaintiff is hereby decreed in his favor against the defendant No.04 as prayed for. No order as to costs. This decree shall not affect the rights of any other person interested, if any or service record of plaintiff, if any. File be consigned to record room after its necessary completion and compilation.

ANNOUNCED
29.07.2026.


29/7/26.
Noor Ul Haq
Civil Judge-II Tehsil
Court Kalaya

CERTIFICATE

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


Noor Ul Haq 8/2/26.
Civil Judge-II Tehsil
Court Kalaya