

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

Suit No.....59/1 of 2026.

Date of Institution.....31.07.2026.

Date of decision.....02.09.2026.

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Wajid Ullah S/O Sabir Khan R/O Qaum Sheikhan, Tappa Bazid
Khel Tehsil Central 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.

.....(Defendants)

SUIT FOR DECLARATION & PERMANENT INJUNCTION.

Judgment:

02.09.2026

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 per DMC issued by defendant No.4 is **11.02.2008**, however; it is wrongly entered in the record of defendant No.01 to 03 as **08.04.1995** which is wrong, illegal and ineffective upon the rights of plaintiff and

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 Kalaya

liable to be rectified. That defendant No.1 to 03 were asked time and again to do the needful but in vain, hence the present suit.

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 while defendant No.04 remained absent. In the written statement representative of defendant No.1 to 03 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 as per DMC issued by defendant NO. 04 is 11.02.2008 while defendant No.1 to 03 have incorrectly entered the same as 08.04.1995? 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: -

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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 11.02.2008, which is correctly mentioned in DMC. Matric DMC is Ex.PW-1/1. He further stated that defendant No.1 to 03 have incorrectly entered his date of birth as 08.04.1995. Copy of his CNIC is Ex.PW-1/2.

During cross examination he stated that he did not know when he obtained his first CNIC. He further stated that he passed his matric from Frontier Children Academy.

Thereafter, evidence of plaintiff was closed.

Iftekhhar Ahmad (Representative of NADRA) appeared and deposed as DW-1. He produced family tree Ex.DW-1/1 & 1/2 and NADRA registration form as Ex.DW-1/3 & 1/4. As per which correct date of birth of plaintiff is 08.04.1995. As per NADRA SOPs changes in date of birth is possible as per DMC. He lastly requested for dismissal of suit of plaintiff.

During cross examination he stated that it is correct that today plaintiff produce his Matric documents which is as per his name. It is also correct that per NADRA SOPs changes in date of birth is possible as per DMC.

Claim of plaintiff is that his true and correct date of birth as per DMC issued by defendant No.4 is **11.02.2008**, but defendant No.1 to 03 have incorrectly recorded the same as **08.04.1995** in their record, which is wrong and liable to be rectified. Oral evidence

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produced by plaintiff is also supportive to the averments of plaintiff. Defendant No.1 to 03 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 cogent, convincing as well as oral evidence in support of his claim and contention. Furthermore, DMC produce by plaintiff also support 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 11.02.2008. Issue decided accordingly.

ISSUES NO.1 & 3.

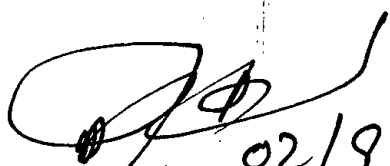
In the light of foregoing discussion, plaintiff has proved his stance through cogent, convincing and oral evidence; therefore, he has got cause of action and is entitled to the decree, as prayed for. Both these issues are decided in positive in favor of plaintiff.

RELIEF.

Crux of my issue wise discussion is that suit of the plaintiff is hereby decreed in his favor against the 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.

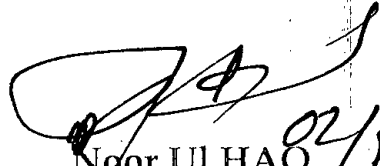
File be consigned to record room after its necessary completion and compilation.

ANNOUNCED
02.09.2026


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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 02/8/26.
Civil Judge-II, Tehsil Court
Kalaya Orakzai