

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

Suit No.....78/1 of 2026.

Date of Institution.....02.09.2026.

Date of decision.....06.10.2026.

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Muhammad Saeed S/O Abid Ullah R/O Qoum Feroz Khel,
Tappa Jaisal 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. NADRA through General Manager Kalaya, Orakzai.
5. Board of Intermediate & Secondary Education Kohat, KPK.

.....(Defendants)

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SUIT FOR DECLARATION & PERMANENT INJUNCTION.

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Judgment:

06.10.2026

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 Birth Certificate is **01.02.2004**, however; it is wrongly entered in the record of defendants as **01.02.2007** 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.

06/10/26
 NOOR UL HAQ
 CIVIL JUDGE-II
 Orakzai

After institution of the suit, defendants were summoned. Defendant No.1 to 04 marked their attendance through representative and filed written statement. Defendant No.05 absent despite proper service therefore, placed and proceeded ex-parte.

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 Birth Certificate is 01.02.2004 while defendants have incorrectly entered the same as 01.02.2007? OPP
3. Whether plaintiff is entitled to the decree as prayed for? OPP
4. Relief?

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 reiterated the averments of plaint. He stated that his correct date of birth is 01.02.2004, however, NADRA & Kohat Board have incorrectly entered the same as 01.02.2007. Copy of his CNIC is Ex.PW-1/1. Matric Certificate is Ex.PW-1/2. Birth Certificate is Ex.PW-1/3. He further stated that he has two sisters and one brother. He lastly requested to decree suit in his favour against defendants.

During cross examination he stated that he did not know when he obtained Form-B. He further stated that he submitted an

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Civil
Orakzai
06/10/26
11-11

application to the BISE Kohat, for correction of his date of birth, but the they refused to make the correction, stating that he must first correct his date of birth in NADRA record.

Thereafter, ex-parte evidence of plaintiff was closed.

Iftekhhar Ahmad (Representative of NADRA) appeared and deposed as DW-1. He produced family tree of plaintiff Ex.DW-1/1, 1/2, NADRA registration form as Ex.DW-1/3, 1/4, Form-B Ex.DW-1/5 and DMC is Ex.DW-1/6. As per which correct date of birth of plaintiff is 01.02.2007. Father of plaintiff obtained Form-B for plaintiff on 06.09.2009. Later on, plaintiff obtained Smart Card on basis of Form-B and DMC. He lastly requested for dismissal of suit of plaintiff.

During cross examination he stated it is correct that his father did not affix his thumb impression to the application filed by him for obtaining smart card.

Claim of plaintiff is that his true and correct date of birth as is **01.02.2004**, but defendants have incorrectly recorded the same as **01.02.2007** in their record, which is wrong and liable to be rectified.

Oral evidence produced by plaintiff is also supportive to the averments of plaintiff. Defendants 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. Furthermore, plaintiff produce birth certificate, which also support the stance of plaintiff.

06/10/26
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Plaintiff produced cogent, convincing as well as oral evidence in support of his claim and contention. Moreover, nothing has been brought on record by defendants that correction of his date of birth would harm anyone.

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 **01.02.2004**. Issue decided accordingly.

ISSUES NO.1 & 3.

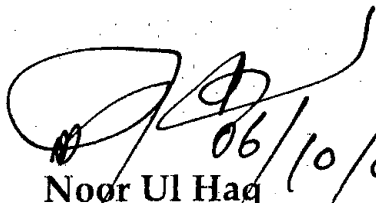
In the light of foregoing discussion, plaintiff has proved his stance through cogent, convincing and oral evidence; therefore, he has got cause of action and is entitled to the decree, as prayed for. Both these issues are decided in positive in favor of plaintiff.

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
06.10.2026.


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 06/10/26.
Civil Judge-II Tehsil
Court Kalaya