IN THE COURT OF NOOR UL HAQ,
Civil Judge-II, Tehsil Court Kalaya, Orakzai.

Suit No.....108/1 of 2026.

Date of Institution..... 12.10.2026.

Date of decision.....21.10.2026.

Asim Abbas S/O Ilhan Ali R/O Qoum Bar Muhammad Khel, Tappa Alat Khel Tehsil Lower District Orakzai..... **(Plaintiff)**

Versus

1. Chairman NADRA, Islamabad.
2. Director General NADRA, KPK, Peshawar.
3. Assistant Director NADRA, District Orakzai.

..... **(Defendants)**

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SUIT FOR DECLARATION & PERMANENT INJUNCTION.

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Judgment:

21.10.2026

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 in the backdrop are that plaintiff has filed the instant suit for declaration cum-permanent injunction to the effect that, as per Birth Certificate & School Leaving Certificate his true and correct date of birth is **14.08.2004**, however, defendants have incorrectly entered the same as **14.08.2000** which is wrong, illegal and ineffective upon the rights of plaintiff and liable to be rectified. That defendants were asked time and again to rectify date of birth of plaintiff but in vain hence, the present suit.

After institution of the suit, defendants were summoned. Defendants 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 as per Birth Certificate & School Leaving Certificate is 14.08.2004 however defendants have incorrectly entered the same as 14.08.2000? 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 recording his statement as PW-01. He stated that his correct date of birth as per Birth Certificate is 14.08.2004. Birth certificate is Ex.PW-1/1. He further stated that date of birth of plaintiff 14.08.2026 also correctly mentioned in his School Leaving

Certificate. School Leaving Certificate is Ex.PW-1/2 and copy of his CNIC is Ex.PW-1/3.

During cross examination he stated that he did not know when he obtained his first CNIC. He further stated that, it is correct that his date of birth is correctly mentioned in Birth Certificate, which was issued by Local Government.

Iftekhar Ahmad (Representative of NADRA) appeared and deposed as DW-1. He produce family tree of plaintiff is Ex.DW-1/1, , NADRA registration form is Ex.DW-1/2, 1/3, Form-B is Ex.DW-1/4. As per which correct date of birth of plaintiff is 14.08.2000. As per NADRA record father of plaintiff obtained Form-B of plaintiff. He lastly requested for dismissal of suit of plaintiff.

During cross examination he stated that It is correct that the Birth certificate is in the name of Asim Abbas and date of birth 14.08.2004 is correctly mentioned therein. It is also correct that 14.08.2004 is correctly mentioned in School Leaving Certificate.

Claim of plaintiff is that his true and correct date of birth as per Birth Certificate & School Leaving Certificate is ***14.08.2004,*** but defendants have incorrectly recorded the same as ***14.08.2000*** 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. Plaintiff is a young man and could not be presumed to have instituted the suit for any undue advantage or ulterior motive. Moreover, Birth Certificate issued by

local government support claim of plaintiff. School Leaving Certificate also support claim 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 ***14.08.2004***. 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
21.10.2026.

21/10/26

Noor Ul Haq
Civil Judge-II Tehsil Court
Kalaya Orakzai

CERTIFICATE

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

21/10/26

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