(41)

IN THE COURT OF IJAZ MAHSOOD, SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Suit No.....27/1 of 2026

Date of Original Institution.....20.04.2026

Date of Decision.....30.10.2026

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Mr. Tasleem Khan s/o Alyas Khan, R/O Qoum Feroz Khel, Post Office Feroz Khel, Tehsil Lower District Orakzai.

.....***(Plaintiff)***

Versus

1. Nadra, Through Chairman Nadra, Islamabad Pakistan.
2. Nadra, Through Director General Nadra Peshawar Khyber Pakhtunkhwa (KPK).
3. Nadra through Assistant Director, District Orakzai.
4. Board of Intermediate and Secondary Education (BISP) Peshawar.

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

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SUIT FOR DECLARATION & PERMANENT INJUNCTION

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JUDGMENT

30.10.2026

This judgment decides instant case filed by Mr. Tasleem Khan for correction of his name and date of birth as maintained by the defendants.

Pleadings:

Facts as recounted in the plaint reads that the correct name and date of birth of the plaintiff are Mr. Tasleem Khan and

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13.05.1975, respectively. However, the defendants have erroneously recorded his name as Mr. Taslim Khan and his date of birth as 13.05.1972, respectively. Hence, the present suit has been instituted for correction of the said particulars.

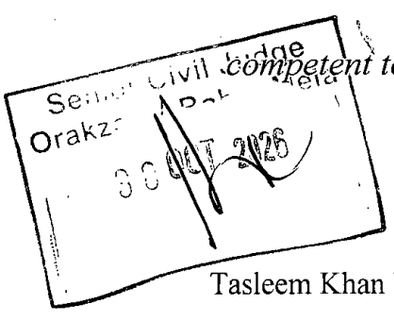
In rebuttal, the representative for defendants No. 01 to 03 and legal advisor for the defendant No. 04 have raised the regular objections to the legal validity of the claim, the standing of the plaintiff, and factual version of the matter.

Defendants No. 1 to 3 contended that the plaintiff obtained his Smart Card on the basis of his CNIC on 05.12.2012, wherein he himself declared his educational qualification as uneducated and his occupation as jobless. On the other hand, defendant No. 4 asserted that, according to the school record, the name and date of birth of the plaintiff have been correctly recorded as Tasleem Khan and 13.05.1972, respectively, and, therefore, the particulars maintained in the relevant record are correct.

The controversy as related in the pleadings was distilled into the following issues:

Issues:

1. *Whether suit is valid in its legal frame, and the court is competent to hear it?*



2. *Whether correct name and date of birth of the plaintiff is Mr. Tasleem Khan and 13.05.1975 while the same have been erroneously recorded as Mr. Taslim Khan and 13.05.1972 by the defendants?*
3. *Relief.*

Thereafter, both sides were invited to produce their evidence to establish the positions they had taken in their pleadings.

Witnesses/Exhibits:

Mr. Tasleem Khan, the plaintiff himself took the stand as PW-01, Mr. Rias Khan s/o Alyas Khan, brother of the plaintiff as PW-02, Mr. Iftikhar Ahmad, representative of defendants No. 01 to 03 as DW-01 and legal advisor of defendant No. 04 Mr. Mian Jaseem Ul Din, record keeper of Peshawar Board as DW-02. They have exhibited the following documents;

i. Copy of CNIC of plaintiff as Ex.PW-1/1.
ii. Copy of service book page No. 03 as Ex.PW-1/2.
iii. Copy of Board service certificate as Ex.PW-1/3.
iv. Copy of CNIC of PW-02 as Ex.PW-2/1.
v. Copy of Nadra Registration Form as Ex. DW-1/1 to Ex. DW-1/2.
vi. Matric Registration form of plaintiff as Ex. DW-2/1.
vii. Authority letter of DW-02 as Ex. DW-2/2.

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Reasons/Reasoning:

Issue wise reasoning of the court following ruling on each issue, and finally on the suit is as follows:

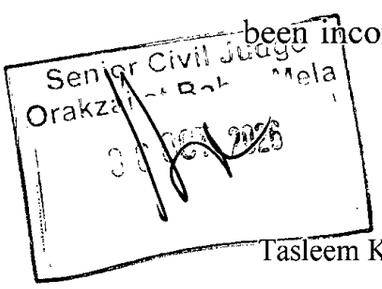
Issue No 01:

This issue questions the legal validity of the frame of the suit, and the competence of the forum to hear it. Plaintiff has sought correction of his name and date of birth, which clearly is a civil matter, and thus amenable to the jurisdiction of this court under section 09 of the civil procedure code. Other objections such as limitation etc, were not rigorously pressed, and upon examination of the corpus of the case by the court, were found inapplicable. Therefore, the issue is decided for the plaintiff.

Issue No 02:

This issue houses the heart of the suit: correction of name and date of birth of the plaintiff. It is claimed that correct name and date of birth of the plaintiff is Mr. Tasleem Khan and 13.05.1975 while the defendants have erroneously recorded the same as Taslim Khan and 13.05.1972 respectively

The plaintiff himself appeared in the witness box as PW-01 and deposed that his correct date of birth, as recorded in his CNIC and service book, is 13.05.2026, whereas the same has been incorrectly recorded in the Board record as 13.05.1992. He



further stated that his correct name is Tasleem Khan, instead of Taslim Khan, and prayed that the suit be decreed in his favor.

Mr. Raies Khan, brother of the plaintiff took the stand as PW-02 who also supported the stance of the plaintiff by repeating the contents of the plaint.

Defense's witness for defendants No. 01 to 03 namely Mr. Iftikhar Ahmad took the stand as DW-01 who deposed that the plaintiff obtained his Smart Card on the basis of his CNIC on 05.12.2012, wherein his name was recorded as Taslim Khan and he had declared himself to be uneducated.

Defense's witness for defendant No. 4 took the stand as DW-04 and deposed that he had brought the matriculation registration form and relevant educational documents of the plaintiff, according to which the date of birth of the plaintiff stands recorded as 13.05.1972.

In the circumstances of the present case, the recording of the name as Taslim Khan appears to be a possible consequence of a misunderstanding or miscommunication at the time of entry in the relevant record. The plaintiff has consistently asserted that his correct name is Tasleem Khan, and his claim in this regard has also been supported by plaintiff himself and PW-02. Moreover, this is a spelling variance and not an actual error. Accordingly, I find the plaintiff entitled to correction of his name

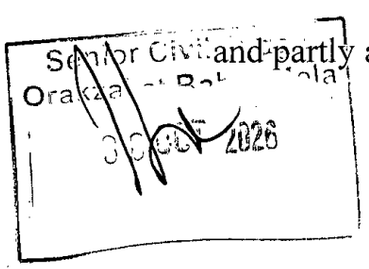
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from Taslim Khan to Tasleem Khan. The claim in respect of correction of name is accepted.

As regards the claim for correction of date of birth, the plaintiff has relied upon his CNIC and service record. However, the evidence produced by defendant No. 4, particularly the matriculation registration form and the relevant educational documents, reflects his date of birth as 13.05.1972. The plaintiff has failed to produce sufficient independent and convincing evidence to establish that his actual date of birth is 13.05.1975 or that the date recorded in the educational record was entered erroneously.

Educational record is prior in time, and was apparently concealed at the time of applying for the CNIC, as plaintiff is recorded illiterate in the CNIC. Therefore, the court has no solid ground to grant the prayer for change in age/date of birth. Consequently, the plaintiff has failed to discharge the burden of proof in respect of the claimed correction of his date of birth. This part of his claim, therefore, merits dismissal.

In view of the foregoing discussion and appraisal of the evidence, this issue is decided partly in favour of the plaintiff and partly against him.



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RELIEF:

Crux of my issue wise discussion is that suit of the plaintiff is hereby partially decreed in his favor against the defendants to the extent of his name as prayed for and dismissed to the extent of date of birth. The correct name of the plaintiff is declared as ***Mr. Tasleem Khan***. Defendants shall bring their record in line with this judgment. Costs shall follow the event.

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

ANNOUNCED
30.10.2026

(Ijaz Mahsood)
Senior Civil Judge,
Orakzai (at Baber Mela)

CERTIFICATE

It is certified that this judgment consists of 07 pages. Each page has been dictated, read, corrected and signed by me.

(Ijaz Mahsood)
Senior Civil Judge,
Orakzai (at Baber Mela)