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

Civil Suit No.	106/1 of 2026
Date of Original Institution:	06.10.2026
Date of Decision:	27.10.2026

HAIDER ABBAS SON OF QABIL HUSSAIN, RESIDENT OF QOM MANI KHEL, TAPA SABOORA KHEL, DISTRICT ORAKZAI

..... **(PLAINTIFF)**

VERSUS

1. CHAIRMAN, NADRA, ISLAMABAD
2. DIRECTOR GENERAL NADRA, PESHAWAR
3. ASSISTANT DIRECTOR, NADRA DISTRICT ORAKZAI

.....**(DEFENDANTS)**

SUIT FOR DECLARATION -CUM- PERPETUAL AND MANDATORY INJUNCTION

JUDGMENT
27.10.2026

1. Brief facts of the case in hand are that plaintiff has brought the instant suit for declaration, permanent and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that correct date of birth of plaintiff is 01.01.2008, according to birth certificate, while defendants have incorrectly entered the same as 05.03.2010 in their record, which is wrong, ineffective upon the rights of the plaintiff and liable to correction.
2. Defendants were asked time and again to do the aforesaid correction but they refused, hence, the present suit;

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3. Defendants were summoned, who appeared through their representative namely Iftikhar Ahmad and filed his written statement whereby, he objected the suit on factual and legal grounds.

4. Divergent pleadings of the parties were reduced into the following issues;

Issues:

1. **Whether the plaintiff has got a cause of action? OPP**
2. **Whether the correct date of birth of plaintiff is 01.01.2008 while defendants have incorrectly entered the same as 05.03.2010 in their record? OPP**
3. **Whether the plaintiff is entitled to the decree as prayed for?**
4. **Relief?**

Issue wise findings of this court are as under: -

Issue No. 02:

Whether the correct date of birth of plaintiff is 01.01.2008 while defendants have incorrectly entered the same as 05.03.2010 in their record? OPP

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The plaintiff stated in his plaint that his correct date of birth is 01.01.2008 while defendants have wrongly entered the same as 05.03.2010 in their record, which is wrong, ineffective upon the rights of the plaintiff and liable to correction.

The plaintiff produced 03 witnesses in whom, plaintiff himself deposed as PW-01. He stated that

his correct date of birth is 01.01.2008 while defendants have incorrectly entered the same is 05.03.2010 in their record. He produced copy of Form-B and Birth certificate are Ex. PW-1/1 & Ex. PW-1/2 respectively. He lastly, requested for decree of the suit. During cross examination he stated that he is illiterate. Furthermore, nothing contradictory has been extracted out of him.

Fazil Hussain son of Qabil Hussain, the brother of plaintiff, appeared in the witness box as PW-02. He narrated the previous stance as stated in the plaint. During cross examination nothing tangible has been extracted out of him.

Zahir Ali son of Gulzan Ali, appeared and deposed as PW-03, who produced copy of his CNIC which is Ex. PW-3/1. Further he supported the stance of plaintiff as narrated in the plaint. During cross examination nothing contradictory has been extracted out of him.

In order to counter the claim of the plaintiff, defendants produced only one witness, the representative of the defendants namely Iftikhar, who appeared as DW-01, who produced family tree and NADRA Registration Form, which are Ex.

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DW-1/1 & Ex. DW-1/2 respectively. He stated that as per family tree the date of birth of plaintiff is 05.03.2010. He lastly requested for dismissal of the suit. During cross examination he admitted that the birth certificate issued in the name of plaintiff. It is correct that the date of birth mentioned in the birth certificate is 01.01.2008. Thereafter, representative for defendants closed his evidence with a note.

In light of above discussion as plaintiff succeeded to prove his stance by producing cogent, documentary, convincing, reliable evidence and nothing in rebuttal has been brought on record by the opposite party. Hence, in light of above discussion, the issue in hand is hereby decided in positive in favor of plaintiff and against defendants.

Issue No. 01 & 03:

Whether the plaintiff has got a cause of action? OPP

Whether the plaintiff is entitled to the decree as prayed for?

Both these issues are interlinked, hence, taken together for discussion.

As sequel to my findings on issue no. 02 the plaintiff has got a cause of action and therefore,

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entitled to the decree as prayed for. Thus, both these issues are decided in positive.

RELIEF:

As sequel to my above issue wise findings, the suit of the plaintiff is hereby **decreed** as prayed for. No order as to costs. Defendants are directed to correct the date of birth of plaintiff as 01.01.2008. This decree shall not affect the rights of other person(s) or service record if any.

File be consigned to the District Record Room, Orakzai after its completion and compilation.

Announced
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Tehsil Court, Kalaya, Orakzai

CERTIFICATE

Certified that this judgment consists of five (**05**) pages, each has been checked, corrected where necessary and signed by me.

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Tehsil Court, Kalaya, Orakzai