SANA ULLAH VS CHAIRMAN NADRA ETC.
Civil Appeal No. 28/13 of 2026

IN THE COURT OF HAQ NAWAZ,
DISTRICT JUDGE, ORAKZAI (AT BABER MELA)

CIVIL APPEAL NO.	:	28/13 OF 2026
DATE OF INSTITUTION	:	22.07.2026
DATE OF DECISION	:	20.11.2026

SANA ULLAH S/O SHAKEEL KHAN, CASTE BEZOT, TAPA BETHAYI, R/O JALAKA MELA, TEHSIL LOWER, DISTRICT ORAKZAI

.....(APPELLANT)

-VERSUS-

CHAIRMAN NADRA, ISLAMABAD AND OTHERS

..... (RESPONDENTS)

JUDGEMENT
20.11.2026

This Civil Appeal was preferred against the judgment and decree dated 18.05.2026 passed by the Court of Senior Civil Judge, Orakzai, whereby Civil Suit No. 21/1 of 2026 was dismissed.

2. The suit was brought by the appellant/plaintiff for declaration and mandatory injunction to the effect that his correct date of birth is 01.07.2003 which is incorrectly incorporated in the record of respondents as 06.11.1998.

3. According to averments of the plaint, the correct date of birth of the appellant is 01.07.2003 as per his birth certificate issued by the local government. But it was wrongly entered in the record of respondents as 06.11.1998 which is ineffective upon the rights of the appellant. He further submitted that he repeatedly asked the respondents to correct their record, but to no avail; therefore, the suit was filed.

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4. The defendants contested the suit by submitting their written statement. Pleadings of the parties were reduced to the following issues;

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

   II. *Whether correct date of birth of the plaintiff is 01.07.2003 while the same has been erroneously recorded as 06.11.1998 by the defendants?*

   III. *Relief.*

5. After recording pro and contra evidence and hearing both the parties, the learned trial Court dismissed the suit through his impugned judgment and decree, hence this appeal was filed.

6. The learned trial Court, while dismissing the suit, observed that the appellant has relied for the correction of his date of birth on a Birth Certificate appears to have been precured at a later stage which does not inspire confidence. However, during pendency of the appeal, the Record Keeper of Knowledge Academy, Jalaka Mela Anjani Bazar was summoned on the application of appellant. He appeared and recorded his statement as CW-1. The CW produced the register of Admission and Withdrawal of the academy concerned along with School Leaving Certificate as Ex. PA and Ex. PB. According to register of admission and withdrawal Ex. PA, the appellant got admission in the

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school in question on 01.04.2007 at serial No. 242 in nursery. It bears the date of birth of the appellant as 01.07.2003. Similarly, the School Leaving Certificate Ex. PB also bears the same date of birth of the appellant. The said documents show that the appellant was above the age of 04 years at the time of his admission in nursery, which supports his contention about his date of birth.

7. Since, the school record is most reliable piece of evidence as compared to the record maintained by the respondents; therefore, the appeal is accepted. The impugned judgment and decree are set aside and suit of the appellant is decreed as prayed for. File be consigned to record room after its necessary completion and compilation.

Announced:
20.11.2026

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CERTIFICATE

Certified that this judgment consists of three (03) pages. Each page has been read, corrected wherever necessary and signed by me.

Dated: 20.11.2026

(HAQ NAWAZ)
District Judge, Orakzai
at Baber Mela