

IN THE COURT OF ZAHIR KHAN,
Civil Judge-I, Kalaya, Orakzai.

Suit No.....7/1.
Date of Institution.....28.02.2023
Date of decision.....06.03.2023
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1. Piao Khel S/o Qadar Khan,
 2. Shaheen Gula W/o Piao Khel all R/O Qoum Feroz Khel, Tappa Qeemat Khel, PO Feroz Khel, Village Songranai, Tehsil Lower, District Orakzai.
- (Plaintiffs)

Versus

1. Chairman NADRA, Islamabad.
 2. Assistant Manager, NADRA, District Orakzai.
- (Defendants)

SUIT FOR DECLARATION & PERMANENT INJUNCTION.

SUMMARY JUDGEMENT

06.03.2023

Plaintiff No. 1 along with counsel present. Representative of defendants present. Learned counsel for plaintiffs requested for summary disposal of the suit. Representative of defendants stated that per NADRA SOPs, date of birth of a person can be modified/rectified if there is unnatural age gap of 17 years between parents and children. Arguments heard and record gone through.

Brief facts in the backdrop are that plaintiffs have filed the instant suit for declaration cum-permanent injunction against the defendants Chairman NADRA, Islamabad and one other to the effect that, true and correct date of birth of plaintiff No. 1 is **01.01.1972**, however, defendants have incorrectly entered the same as **01.01.1979**. Similarly, the correct date of birth of plaintiff

No. 2 is **01.01.1973**, however, defendants have incorrectly entered the same as **01.01.1981**, which is wrong, illegal and ineffective upon the rights of plaintiffs and liable to be rectified. That due to this wrong entry, there is unnatural age


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difference of about 12 and 16 years between plaintiff No. 1(father) and his sons namely Wahid Ullah and Umar Hayat respectively. Similarly, there is unnatural age difference of about 10 and 14 years between plaintiff No. 2 (mother) and her sons named above. As per CNICs are of sons, their dates of birth are recorded as 01.01.1991 and 04.05.1995 respectively. That defendants were asked time and again to rectify date of birth of plaintiffs but in vain hence, the present suit.

Representative of defendants stated that there shall be at least 17 years' age difference between children and their parents. Per record, date of birth of plaintiffs are recorded as 01.01.1979 and 01.01.1981 respectively resulting into unnatural age difference of about 12 and 16 years between plaintiff No. 1 (father) and his sons. Similarly, there is age difference of about 10 and 14 between plaintiff No.2 (mother) and her sons. Plaintiffs are not government servants. The modification sought by plaintiffs will not affect rights of others. Representative of defendants stated that date of birth of plaintiffs may be modified as per NADRA SOPs. There is no need of recording evidence of the parties. Defendants are directed to rectify date of birth of plaintiff No. 1 as 01.01.1972 and date of birth of plaintiff No. 2 as 01.01.1973. Suit of plaintiffs is decreed as prayed for. No order as to cost. This decree shall not affect rights of others interested, if any. This decree shall not affect service record of plaintiff, if any.

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

Announced
06.03.2023


Zahir Khan
Civil Judge-I, Kalaya, Orakzai