

4

IN THE COURT OF MUHAMMAD AYAZ KHAN,
SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Civil Suit No. 78/1 of 2019
Date of Institution: 30/04/2019
Date of Decision: 26/09/2019

Gul Shad Ali s/o Sanjaf Ali

Resident of Village Khwara, PO Sher Kot, Tehsil lower Orakzai & District Orakzai
(Plaintiff)

VERSUS


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

(Defendants)

SUIT FOR DECLARATION & PERMANENT INJUNCTION

SUMMARY JUDGEMENT:
ORDER XV-A CPC

1. Plaintiff, **Gul Shad Ali s/o Sanjaf Ali**, has brought the instant suit for declaration-cum-permanent injunction against the defendants, referred hereinabove, seeking declaration therein that the correct name of the father of the plaintiff is **Sanjaf Ali**, while it has been wrongly mentioned as Sajab Ali by the defendants, which is incorrect and against the facts, so, liable to be corrected. Hence, the instant suit.
2. Defendants were summoned, who appeared through attorney namely **Habib Ullah Khan** and submitted his authority letter, which is placed on file.


MUHAMMAD AYAZ KHAN
Senior Civil Judge
Orakzai at Baber Mela

Interestingly, attorney of the defendants stated at the bar that the above correction can be made by the defendants as


the same is spelling mistake. Statement of the attorney recorded as CW-1, wherein he verified the above facts. During the schedule conferencing within the meaning of order IX-A of CPC, it was agreed by the defendants that the correct spelling of the name of the father is "Sanjaf Ali". Defendants have got no objection to grant decree in favour of the plaintiff. Even otherwise, this is a spelling mistake, which can be corrected at any stage of the proceedings.

Relief:

Consequently, upon what has been discussed above and the jurisdiction vested in this court under order XV-A of CPC, suit of the plaintiff succeeds and is hereby decreed as prayed for. Defendants are directed to correct the name of the father as "Sanjaf Ali" instead of Sajab Ali forthwith.

3. Parties are left to bear their own costs.
4. File be consigned to the record room after its completion.
5. File be consigned to the record room after its completion.

Announced
26/09/2019


(Muhammad Ayaz Khan)
Senior Civil Judge,
Orakzai at Baber Mela

CERTIFICATE

Certified that this judgment of mine consists **03** (three) pages, each has been checked, corrected where necessary and signed by me.



(MUHAMMAD AYAZ KHAN)
Senior Civil Judge,
Orakzai (at Baber Mela).