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

Civil Suit No. 118/1 of 2019
Date of Institution: 20/05/2019
Date of Decision: 26/09/2019

Sahib Shah s/o Sunab Shah

Resident of Village Ghiljo, PO Ghiljo, Tehsil Upper 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, **Sahib Shah** s/o Sunab Shah, has brought the instant suit for declaration-cum-permanent injunction against the defendants, referred hereinabove, seeking therein that his correct date of birth is **04/04/1986** while it has been wrongly mentioned as **1988** by the defendants, which is unnatural as the difference between the age of the plaintiff and his real brother is **04 months**, which is against the **natural gape**. Hence, the instant suit.
2. Defendants were summoned, who appeared through attorney namely **Habib Ullah Khan** and submitted written statement, which is placed on file.


MUHAMMAD AYAZ
Senior Civil Judge,
Orakzai District.

During the schedule conferencing within the meaning of order IX-A of CPC, it was agreed by the defendants that the difference of 04 months between 02 real brothers is not possible so, defendants have got no objection to grant


decree in favour of the plaintiff. Even otherwise, this 04-months gape between 02 real brothers is not appealable to any prudent mind, hence, declared unnatural and against the facts and circumstances of the case.

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 his date of birth as 04/04/1986 forthwith.


3. Parties are left to bear their own costs.
4. 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).