

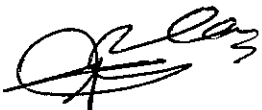
IN THE COURT OF MUHAMMAD AYAZ KHAN,
SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Order
11/12/2019

Plaintiff present. Attorney of the defendant present. Vide my summary judgement of today, consists of 03 (three) pages, suit of the plaintiff is hereby decreed as prayed for. No order as to cost.

Case file be consigned to record room.

Announced
11/12/2019


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

(3)

DECREE SHEET

In the court of Muhammad Ayaz Khan, Senior Civil Judge/JM, Orakzai at Baber Mela

Civil Suit No. 208/1 of 2019
Date of Institution: 23/11/2019
Date of Decision: 11/12/2019

Hussain Ali s/o Siraj Ali

(Plaintiff)

Vs

**Registrar, General NADRA, Islamabad.
Deputy, Registrar General NADRA KPK Peshawar.
Assistant Registrar General, NADRA District Orakzai.**

(Defendants)

SUIT FOR DECLARATION AND PERMANENT INJUNCTION

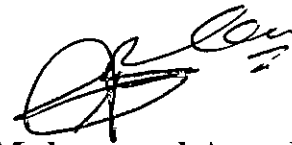
Judgement

Plaintiff **Hussain Ali** has submitted the instant suit for Declaration and permanent injunction against the defendants, stated that his correct date of birth is **02.04.1998** while it has been wrongly entered as 01.10.1992 by the defendants, which is incorrect and against the facts, so, liable to be corrected. Hence, this creates irreparable loss for the plaintiff, the defendant is directed to correct the necessary.

Order

11/12/2019

Vide my summary judgement of today consist of 03 pages, suit of the plaintiff is hereby decreed as prayed for and defendants are directed to correct the date of birth of the plaintiff as **02.04.1998** forthwith. No order as to costs.



Muhammad Ayaz Khan
Senior Civil Judge,
Orakzai at Baber Mela

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

Civil Suit No. 208/1 of 2019
Date of Institution: 23/11/2019
Date of Decision: 11/12/2019

Hussain Ali s/o Siraj Ali

Resident of Village Dappa, PO Kadda Bazar, Tehsil lower Orakzai & District Orakzai..... (Plaintiff)

VERSUS

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

(Defendant

s)

SUIT FOR DECLARATION & PERMANENT INJUNCTION

SUMMARY JUDGEMENT:
ORDER XV-A CPC

1. Plaintiff, **Hussain Ali s/o Siraj Ali**, has brought the instant suit for declaration-cum-permanent injunction against the defendants, referred hereinabove, seeking declaration therein that his correct date of birth is **02.04.1998** while it has been wrongly mentioned as **01.10.1992** by the defendants, which is against the facts and circumstances. Hence, the instant suit.
2. Defendants were summoned, who appeared through attorney namely **Syed Farhat Abbas**, who stated at the bar that there is no need of filing of application on behalf of the defendants. He submitted written statement, which is placed on file.


MUHAMMAD AYAZ
Senior Civil Judge,
Orakzai at Hangu

During the scheduling conference within the meaning of order IX-A of CPC, it was revealed that the matter involved in the instant case is very petty in nature, which can be decided as per available record and there is no need of pro and contra evidence in the instant case. The primary aim and objective of recent Amendment Act 2019 in CPC is, "to enable the court to-

- a. Deal with the cases justly and fairly;
- b. Encourage parties to alternate dispute resolution procedure if it considers appropriate;
- c. Save expense and time both of courts and litigants; and
- d. Enforce compliance with provisions of this Code."

During the scheduling conference, it was pointed out that the correct date of birth of the plaintiff is **02.04.1998** which is evident from the school certificates in shape of SSC certificate, already present on file. The same has not been rebutted by the defendants through counter documents. Representative of the defendants has raised traditional objections, which cannot be accepted. Further, future of the plaintiffs is dependent upon the present correction in date of birth, which cannot be ignored. No need of evidence in the instant case. Hence, the claim of the plaintiff is proved as per the available documents and record, which are admissible in evidence.



MUHAMMAD AYAZ
Senior Civil Judge,
Orakzai at Hangu.

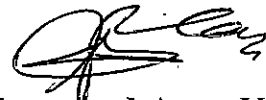
Relief:

Consequently, upon what has been discussed above and the jurisdiction vested in this court under order IX-A and 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 **02.04.1998** forthwith.

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

Announced

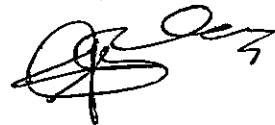
11/12/2019



(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).

PROFORMA 'A'

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

Civil Suit No. 208/1 of

Hussain Ali..... Plaintiff


Versus

NADRA.....Defendant

**(NOTICE FOR CASE MANAGEMENT AND SCHEDULING
CONFERENCE)**

WHEREAS the above-mentioned suit is pending disposal in this court. Take notice that the undersigned shall hold a Case Management and Scheduling Conference on 11/12/2019 at 09:00 am. The Conference shall be attended by either the parties in person, or through their counsel fully authorized on their behalf and acquainted with the nature and basis of their claims. The Conference shall be conducted on the following agenda items:

- (a) Both the parties will be required to inform the court that they have gone through each other's pleadings, and are aware of the nature and basis of each other's claims.
- (b) Both the parties will be required to inform the court about different applications which they intend to file in the court such as application under Order VII Rule II, Order I Rule I 0, Order VI Rule I7, Order XXXIX Rule I & 2, Order XXVI Rule 9 or any other application(s).
- (c) Setting dates, if required: (1) 'For filling various applications by either party(ies); (2) For filling of reply(ies) to such applications; and (3) For hearing arguments on such applications collectively.
- (d) Both the parties will be required to discover the chance of settlement, and inform the court about the intended mode of settlement.


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