


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

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

Civil Suit No. 214/1 of 2019
Date of Institution: 26/11/2019
Date of Decision: 11/12/2019

Nangeera Jan w/o Hassan Shah

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

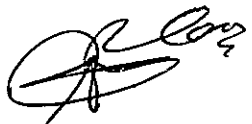
1. Plaintiff, **Nangeera Jan** w/o Hassan Shah, has brought the instant suit for declaration-cum-permanent injunction against the defendants, referred hereinabove, seeking declaration therein that her correct date of birth is **01.01.1970**, while it has been wrongly mentioned as **1980** by the defendants, 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 KHAN
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 noticed by the court that the difference of age between the plaintiff and her son namely Zulqaid Ali 09 is years, with her second son namely Waiz Hassan is 10 years, with her daughter namely Maryam Naaz is 12 years and with her younger daughter namely Mushtahida is 15 years, which is not possible and the same is unnatural gape. Even otherwise, the above-mentioned gapes between plaintiff and her offspring is not appealable to any prudent mind, hence, declared unnatural and against the facts and circumstances of the case. There is no need of evidence in



MUHAMMAD AYAZ
Senior Civil Judge,
Ghazal at Hangu

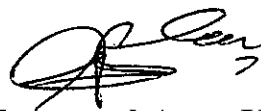
the instant case as the correction can be made on the available record.

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 her date of birth as **01.01.1970** 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).

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

Civil Suit No. 214/1 of

Nangeera Jan..... Plaintiff

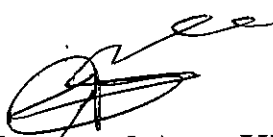
Versus

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)