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

**Order**  
12/12/2019

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**  
12/12/2019

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

(4)

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

Civil Suit No. 205/1 of 2019  
Date of Institution: 16/11/2019  
Date of Decision: 12/12/2019

**Sartaj Khan s/o Afsar Khan**

Resident of Village Mirbak, PO Feroz Khel, 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, **Sartaj Khan s/o Afsar Khan**, 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 **11.04.2002** while it has been wrongly mentioned as **01.11.2001** 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 Hangra

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 correct date of birth of the plaintiff is 11/04/2002, which is even evident from the SSC (school certificate) of the plaintiff, copy of which is present on file. Interestingly, the correction sought by the plaintiff is only less than 06 months, which is even in the domain of NADRA to correct the same without intervention of the court. No need of further evidence. The claim of the plaintiff is proved as per available record present on file.

**Relief:**

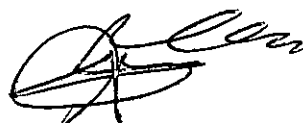
Consequently, upon what has been discussed above and the jurisdiction vested in this court under order IX-A and XV-A of

  
MUHAMMAD ATAZ  
Senior Civil Judge,  
District Court, Mangochi

CPC, suit of the plaintiff succeeds and is hereby decreed as prayed for. Defendants are directed to correct his date of birth as **11.04.2002** 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**  
12/12/2019

  
**(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).

7

Order  
06/12/2019

Plaintiff through counsel present. Representative of NADRA not present, hence, Scheduling Conference could not take place. To come up for scheduling conference on 12/12/2019.



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