

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

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**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

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

Civil Suit No. 207/1 of 2019  
 Date of Institution: 15/11/2019  
 Date of Decision: 12/12/2019

**Amin Gul s/o Azram Khan**

Resident of Village Kago Kamar Dara, 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.**


(Defendant

s)

**SUIT FOR DECLARATION & PERMANENT INJUNCTION**

**SUMMARY JUDGEMENT:**  
**ORDER XV-A CPC**

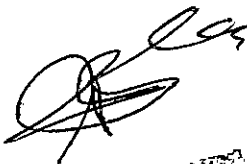
1. Plaintiff, **Amin Gul** s/o Azram Khan, has brought the instant suit for declaration-cum-permanent injunction against the defendants, referred hereinabove, seeking declaration therein that his correct name is **Amin Gul** while it has been wrongly mentioned in his Smart Card as Meen Gul by the defendants, 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 Hansui

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 that the matter involved in the instant case is only correction of spelling of the name of the plaintiff. The correct spelling of the name of the plaintiff is "**Amin Gul**", which has been wrongly mentioned by the defendants as "**Meen Gul**", which shows that the letter "A" has been left out in the smart card of the plaintiff. Interestingly, the spelling is correct in the precious CNIC of the plaintiff, which is present on file; however, in smart card of the plaintiff the letter "A" has been missing in the name of the plaintiff. No need of further evidence as the correction in the spelling of the name of the plaintiff can be made on available record. The same is even evident from the old CNIC of the plaintiff, copy of which is



MUHAMMAD AYAZ  
Senior Civil Judge,  
Orakzai at Manqul

present on file. Hence, claim of the plaintiff is proved through un-rebutted 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 CPC, suit of the plaintiff succeeds and is hereby decreed as prayed for. Defendants are directed to correct his name as **Amin Gul** 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**

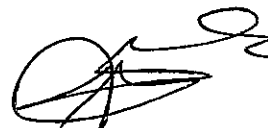
12/12/2019



**(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).