

**IN THE COURT OF ASGHAR SHAH**  
**DISTRICT JUDGE, ORAKZAI (AT BABER MELA)**

CIVIL APPEAL NO. : 17/13 OF 2021  
DATE OF INSTITUTION : 31.03.2021  
DATE OF DECISION : 13.04.2021

CHAIRMAN, NADRA ISLAMABAD AND TWO OTHERS  
.....(APPELLANTS)

-VERSUS-

MUHAMMAD GUL S/O QADIR GUL, R/O CASTE UTMAN  
KHEL, TAPA FATEH KHAN KHEL, ABA KHEL, TEHSIL  
LOWER, DISTRICT ORAKZAI  
..... (RESPONDENT)

**Present:** Syed Farhat Abbas, representative of appellants  
: Sana Ullah Khan Advocate for respondent

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JUDGEMENT  
13.04.2021

In the suit before the trial court, respondent/plaintiff claimed the correction of his date of birth from 01.01.1991 to 04.03.1999 in the record of the appellants/defendants (NADRA). The learned trial court conducted summary proceedings and decreed the suit in favour of respondent/plaintiff vide impugned judgement and decree dated 19.03.2021, hence aggrieved from the same appellants/defendants preferred the appeal in hand.

*Sana Ullah Khan*  
(ASGHAR SHAH)  
District Judge, Orakzai  
at Baber Mela




(2). Arguments heard and record perused.

(3). From the arguments and record available on file, it reveals that in support of his claim respondent/plaintiff relied upon Secondary School Certificate, provisional certificate and detailed marks certificate wherein his date of birth is entered as 04.03.1999. Moreover, at the appeal stage, head teacher of the Government Primary School Toti Bagh was summoned and examined as CW-1. The said teacher produced record Ex. CW 1/1 in respect of admission and withdrawal of respondent/plaintiff. The perusal of same reveals that the respondent/plaintiff was admitted in the said school at serial no. 1276 and was given admission on 12.08.2005 in class 1. According to the said record, his date of birth is entered as 04.03.1999. The representative of the appellants produced photocopies in respect of the respondent/plaintiff by alleging that he himself entered his date of birth as 01.01.1991 while applying for obtaining CNIC in the year 2016. However, the record of the appellants does not found support from any authentic document besides the counsel for the respondent/plaintiff alleged that during the Talibanization period, there was problem of identity for the respondent/plaintiff while travelling outside District Orakzai, hence by that time the CNIC was obtained for the correction of which now the authorities have been approached.

*Asghar Shah*  
 (ASGHAR SHAH)  
 District Judge, Orakzai  
 at Baber Mela

(4). As such all the record favours the respondent/plaintiff, therefore, the learned trial court on the basis of record has rightly proceeded the case in summary manner and rightly decreed the same in favour of respondent/plaintiff. No legal infirmity pointed out in the impugned judgement and decree of the trial court, therefore, the same is upheld/maintained and the appeal in hand resultantly stand dismissed being meritless with no order as to cost. File of the trial court be returned while file of this court be consigned to Record Room after its completion and compilation.

**Announced**  
13.04.2021

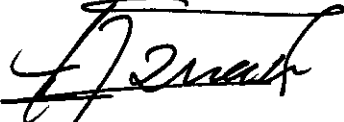
  
**(ASGHAR SHAH)**  
District Judge, Orakzai  
at Baber Mela

**CERTIFICATE**

Certified that this judgment consists of three (03) pages. Each page has been read, corrected wherever necessary and signed by me.

Dated: 13.04.2021



  
**(ASGHAR SHAH)**  
District Judge, Orakzai  
at Baber Mela