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Case No. 16/6 Instituted on 19/3/20 Decided on 4/2/2/ FIR no.

Dated: U/S. PS 4 8 5 6 Court fee δ Record A or B ð Serial No. 1 paper Remarks Value 01-01 01 A D١ 02-02 05 03-12 13-13 03 19-16 B 13-6-20 03 17-22 Office of the Datrict & Sessions Judge porakzal at Jaber Mela Dale of collsign-No. ment Record Room 10.02 Koom RECORD

Certified that _____papers, as detailed above, bearing Court-fee labels of an aggregate value of Rs.

Prepared by Moharrir



Examined and found correct by Record Keeper

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

Check List

	Civil Suit No.	16		
Title: Heha	Nadry	vs_	Khali I	Rem

S.NO	Details	Yes	NO
1	Plaint (copies for each defendant)	7	
2	Duplicate copies of summon for each defendant		
3	Addresses of the parties	سسا	
4	List of Legal heirs		
5	Affidavits of Private witnesses on stamp papers		
6	Whether this court has jurisdictions:		
	(1) Pecuniary		
}	(2) Territorial.		
	(3) Subject matter.		
7	Whether court Fee is affixed		
8	Documents on which plaintiff relies		
9	List of other documents	!	
10	Whether suit is prime-facie within time		
11	In case of plaintiff through recognized agent, whether power of attorney		
	is annexed		
12	Whether Wakalat Nama is annexed	<u> </u>	
13	Whether plaint is properly verified		
14	Application for interim relief		
15	Whether the defendant can be sued legally		
16	In case of suit against Government whether copy of notice u/s 80 CPC annexed		
17	In case of suit by or against Government, whether pleadings are signed		
	by competent authority U/order 27 rule 91 CPC complied with		ĺ
18	If suit by alien whether maintainable u/s 83 CPC		
19	Whether suit is or against a minor through next friend O 32 R 1		
20	In case of suit involving public nuisance whether contest of advocate General of S 91 CPC obtained		
21	In case of suit of the nature of S 92 whether. Provision of S 92 are complied with.		
22	In case of representative suit whether provision of Order A rule 8 CPC complicated with.		
23	Summon received back from defendant	~	
24	Authority Letter	V	
25	Written statement	V	
26	Whether Written statement is properly verified		
27	Defendant record		i
28			
29	,		
30			
			



FORM "A" FORM OF ORDER SHEET

Court of Senior Civil Judge, Orakzai at Baber Mela

Case Title ______VS _____

Serial No of order	Date of	Order or other Proceedings with Signature of Judge or Magistrate				
or proceedings	Order	and that of parties or counsel where necessary				
	Proceedings					
1	2	3				
Order-1	19/02/2010	Civil Miscellaneous application submitted by Mr. Syed				
		farat abbas. It be registered. Record be requisitioned for				
		25/02/2020. Muhammad Ayaz Khan), Senior Civil Judge, Orakzai at Baber Mela.				
	Order-2 25/02/2020	Tellioner anseni kecora receivea irom recora				
		to come up for argument on $00/04/2020$.				
		(Muhammad Ayaz Khan) Senior Civil Judge Orakzai at Baber Mela				
	Order-3 05/06/2020	Both parties absent. Notice be issued to the parties and				
	2:	their counsels for the date fixed. File be put up for arguments on 13.06.2020. Farman Ullah Senior Givil Judge, Orakzai at Baber Mela.				

A

(04)

Order - 4 13/06/2020

Plaintiff along with counsel present. Defendant absent. Arguments not heard. File be put up for arguments on 29/06/2020.

Senior Civil Judge Orakzai at Baber Mela

Order-5 29/06/2020

Plaintiff through counsel present.

Representative of NADRA absent. Case file is adjourned due to absence of defendant. File be put for arguments on 13.07.2020.

(Farman Ullah) Senior Civil Judge Orakzai at Baber Mela

Order-6 13/07/2020

Petitioner present in person.

Respondent present through counsel.

Respondent requested for adjournment. Granted, file be put up for written reply of the respondent on 28.07.2020.

Farman Ullah Senior Civil Judge, Orakzai at Baber Mela.



Order-7 28/07/2020

Petitioner present through Naib Qasid of Assistant director NADAR distirct orakzai. Respondant absent. Naiib Qasid for petitioner requested for adjournment due to non-availability of respresentative of petitioner. Adjournment granted. File be put up for written reply of respondant on 13.08.2020.

(Fafman Ullah) Senior Civil Judge Orakzai at Baber Mela

Note Reader 13/08/2020

Parties absent. The month of August has been declared as summer vacation. Hence, file be put up for previous proceedings on 10.09.2020.

Note Reader 10.09.2020

The presiding Officer is on causal leave. File be put up for previous proceedings on 21.09.2020.

Senior Civil Judge
Orakzai at Baber Mela



Order--8 21/09/2020 Petitioner present.

Respondent through counsel present...

Respondent sought time for written reply. File be put up for written reply of respondent on 01.10.2020.

Farman Uflah Senior Civil Judge, Orakzai at Baber Mela.

Order-9 01/10/2020

Petitioner present.

Respondent through counsel present.

Counsel for the respondent sought time for written reply. Granted, file be put up for written reply 14.10.2020.

(**Farman Ullah)** Senior Civil Judge, Orakzal (at Baber Mela).

Order-10 14/10/2020

Petitioner present.

Respondent present through counsel.

Respondent sought time for written reply.

Granted, with strict direction to make sure the submission of written reply on next date positively.

Otherwise, case file be proceeded under the law. File

be put up for written reply on 26,10.2020.

(Farman Ullah)
Senior Civil Judge,
Orakzai (at Baber Mela)

07

Order--11 26/10/2020

Parties absent.

Bar is on strike. Hence, adjourned. File be put up for

/written reply on 04.11.2020.

(Fakman Ullah) Senior Civil Judge, Orakzai (at Baber Mela).

Order-12 04/11/2020 Petitioner in person present.

Respondent absent.

Bar is on strike. Hence, case is adjourned. File be put up for written reply on 16.11.2020

Farmar Ullah Senior Civil Judge, Orakzai at Baber Mela

Order-13 16/11/2020 Petitioner in person present.

Respondent present through clerk of counsel.

Bar is on strike. Hence, case is adjourned. File be put up for written reply on 26.11.2020.

Farman UHah
Senior Civil Judge, Orakzai
at Baber Mela

Order-14 26/11/2020 Petitioner in person present.

Respondent present through counsel.

Counsel for the respondent sought time written reply. Granted, file be put up for written reply on 07.12.2020.

Farman Ullah Senior Civil Judge, Orakzai at Baber Mela

Order-15 07/12/2020 Petitioner in person present.

Respondent absent.

Bar is on strike. Hence, case is adjourned. File be put up for written reply on 21.12.2020.

Farman Ullah Senior Civil Judge, Orakzai at Baber Mela

Order-16 21/12/2020 Petitioner present in person.

Respondent absent.

Respondent be noticed for next date with strict direction to make sure written reply on next date positively. File be put up for written reply of the respondent on 05.01.2021.

Farman Ullah Senior Civil Judge, Orakzai at Baber Mela.





Order-17 05/01/2021

Petitioner present in person.

Respondent present through counsel.

Counsel for the respondent sought time for written reply.

Granted, with strict direction to make sure written reply on next date positively. File be put up for written reply of the

respondent on 18.01.2021.

Farman Ullah Senior Civil Judge, Orakzai at Baber Mela.

Order-18 18/01/2021

Petitioner present through representative.

Respondent absent.

Repeatedly calls were made but no one appeared on behalf of respondent. Hence, proceeded ex-parte.

Representative for petitioner sought time for arguments due to non-availability of complete record. Granted, file be put up for ex-parte arguments on 28.01.2021.

Farman Ullah Senior Civil Judge, Orakzai at Baber Mela. (10)

Order-19 28/01/2021

Petitioners present though representative.

Ex-parte arguments heard. File be put up for order on

04.02.2021.

Farman Ullah Senior Civil Judge, Orakzai at Baber Mela.

Order-20 04/02/2021

Petitioner present through representative.

Respondent already placed ex-parte.

My this order is aimed at disposal of petition for review of judgement dated: 30.01.2020.

Petitioners filed instant petition by contending, therein, that respondent filed a suit for correction of his date of birth on the basis of unnatural gap between him and his mother and which was decreed. That petitioners have came to know that the mother of respondent has obtained 02 CNICs. On the basis of such grounds, petitioners requested for review of judgement.

Respondents were summoned, who appeared before the court through counsel and constantly sought time for the submission for written reply and arguments. However, later on neither respondent nor his counsel appeared before the court. Hence, proceeded ex-parte on 18.01.2021.

Ex-parte arguments heard and record gone through.

Perusal of the record reveals that the plaintiff/respondent filed a suit for declaration, permanent and mandatory

FARTANULLAH
Schlor Civil Judge
Oncazi et Baber Mela



injunction to the effect that his correct date of birth is 01.01.1999 while defendants/petitioners have wrongly recorded the same in his CNIC as 01.01.1991. It was further contended by plaintiff/respondent that date of birth of his mother is 01.01.1981 and thus, there is unnatural gap between the age of plaintiff and his mother. Plaintiff to this effect produced the CNIC of his mother bearing No.21603-0445031-2 before the court, wherein, date of birth of mother was recorded as 01.01.1981. On the basis of such unnatural gap between son and mother, suit of plaintiff was decreed through summary judgement dated: 30.01.2020.

Petitioner along with the petition in hand has annexed family tree of plaintiff and CNIC form of mother of plaintiff, the perusal of which depicts that CNIC bearing No. 21603-3585173-2 was also issued to the mother of plaintiff, wherein, her date of birth has been mentioned as 1965 while of brother of plaintiff namely Mir Dil Khan as 04.10.1982 and of his sister as 01.01.1991.

However, record shows that at the time of passing the judgement such facts were not before the court and in the knowledge of petitioners as no evidence was recorded rather case was summarily adjudicated on the basis of other CNIC of mother of plaintiff. Discovery of such new and material facts are sufficient to review the

Francisco Court and Scripping of Batter Mee.

judgement/decree dated: 30.01.2020 and to decide the case on merit.

In view of above discussion petition in hand is accepted and the judgement dated: 30.01.2020 is reviewed hereby set aside. No order as to cost.

This file be consigned to record room after necessary completion and compilation, while copy of the same be placed on original file.

Schior Civil Judgo
Orakali a Babel Mula
Farman Ullah
Semier Civil Judge,

Orakzai at Baber Mela.

July of the Side of the Color inelatione pui Jour Jain (1) et color) ~ ~ Ul, Glo of sur En la 19/02/20 ل يولد عالم المؤري عن مزج وإلى سي من معمل يوفيان -- En la Con Co 13 p her on or and is in is and in the same of a second of با بنساو ہے اور مجعوب ار میں ع ع من من نا نسخ فری می بی افغار کرد بریس مر معلی م رسی در وسی مر فی م والده ما رقی کی دری coloj(i) g sens de la locusid 4666/166 Do 4/3 201 م المان المورا الوراز الموراز المورز المورز المورز المورز الموراز الموراز الموراز الموراز الموراز الموراز الم A. W. 1

ANUL NFA / V2.0 / R-02 g oi Sonio Civil Judge FARM Oratra قومی شناحتی کارؤ فارم (مرف باستان شوی^{ن کیل}ظ) قوث (۱۰) جربادوران يوجد في دوار واويوراري 3.8° x 5° CT (2) معقد كيني بغير ورفراسية على ورفقت فالفيل كالماتين الماكي و 🖊 مسول شاق كارة (بين اليكا تف مصاب من او الياء برا كران ا (١٤) ١٠٠٠ فيدوي ميكا بار معربا الاعام الياسية مايد شورة رمي مي كالمعاملة 2 سير كان ينه مريسال درويتير فيديد فرست شرباب زياكري الالعام فالقوم كالشفات كريب و المنافي المارية كالإنهاة بها المارك كرية أور الكام أن عما تعويدة ب (1) الريك في المعاليات من المراس أوفر والمستلسان ي 4 م شروشانی کارد کابل (6) قادگی متعدکیا درقاست کا به ۱۹۵۰ (۱۲ می پ ة [] موت إلا كت في شريف كالمنولي في بوست برزيقن عيني الروك منسوقي 4 7 8 5 0 4 8 6 0 4 يائ عاشي كارواكانبر وخرن مني کام مين مدهد 18 مال یاس سے دائدم کے افراد کے لئے ذکر الازی سے (برفر الیلے الگ فارم ذکری) فیملی کے سربراہ کا شاخی کارڈنبسر ورخواست وبندوي يورانام اور شنافتي كاروغبر 1 6 0 3 3 5 8 5 1 7 3 2 بلاجان ورخواست وبهنده كحهالد كالماور شناختي كارذنمبر <u>مل دین مرحوم</u> در نواست د بنده كي والدوكان ما ورشاختي كار ونمبر null 2 0 7 8 7 8 4 ش ای شده مورت کے خاوند کا نام اورشن منی کار انب ستان<u>ہ خان</u> 2037.10 المتزي شاركي 8 4 Jan 15 / مكائت لبمر يأ ضيت فمبر مكالنافيم يإ فليت نمبر null يام تعث نر بإمنزنت نبر Æ بذاك فمير بلاكسفيم null null أأقان بحآ -16 حلک ية كالشاني تنعيل يعاكمة أيتميس null null يا كووال يا گاوال بيزوث 10 كابرو ميا حي يؤري 0 0 1 9 6 5 11 پيدائن کاملل (£215) اوركزني ايجنسي (فیریک بیمی بعدا کری مودیت شیام الدیکانام دی کرور)

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Family Tree

Alpha Family

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	Relation	Photograph	Citizen Number	Туре	Name	Father Name	Mother Name	Date of Birth	Status	
+	Father	Photo	21603- 4052693- 1	CNIC	ستانہ خان	اول مین مرحوم	لعل میدیہ	6/10/1961	Processed	
+	Mother	Photo	21603- 3585173- 2	CNIC	بلاجان	اول دين مرحوم		0/0/1965	Processed	
+	Mother	Photo	21603- 0445031- 2	CNIC	بیلہ جان	اول دین	دواجان	1/1/1981	Processed	
+	Brother	Photo	21603- 6390165- 5	CNIC	میر دل خان	ستانہ خان		4/10/1982	Processed	
+	Sister	Photo	21603- 5663307- 4	Smart ID	راجہ بی بی	۔۔ ستانہ خان	بیلہ جان	1/1/1991	Processed	
+	Self	Photo	21603- 2298922- 9	Smart NICOP	خليل الرحمٰن	ستانه خان	بیله جان	1/1/1991	Processed	
+	Brother	Photo	21603- 3340200- 3	Smart ID	فيض اللہ	ستانہ خان	بیلہ جان	15/12/2003	Processed	
+	Sister	Photo	21603- 7274669-	CRC	آسیہ	ستانہ خان	بیلہ جان	12/11/2003	Processed	

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واضع مومقدمه موان بالايس فيش محك كالم كالم كالم كاستررب نهذا بذريعه سمن بذامطلح كياجاتاب كه تاريخ مترره كواصا D وكال يا مخار خاصا ضرعد الت موكر پيروي مقد مدكري-ان يد ع م 1 م 1 م 6 م كاما و دا كام و د CNic = 21603_2298922-9 il the Mosil = 03095110835 - ولد سانه كان sign = Kh/6 (18) حنا _عالىا جرارش سي كهن يا ميره برام من ميلكيا. موقد مرا الرخيل الرخن سے مل الي سمن كى عالى انك حواله كرك مقره ثاريخ ببنى سا قاه كيا-لمذا ريور في من ع مراسی سرور حلنًا بيان مثمان کی مزكورة رلورك وبين وفهل ع Ž.

بعد الت جناب فرمان الله صاحب سنكير سول في اجوز يقل مجسفريث اوركز في مقام باير ميله واضع مومقدمه مؤان بالايس فيش 20 6 3 1 كا كركم كا متردب لبذ ابذر بعد سمن بذا مطلع كياجاتا ہے كد تاريخ مقرره كواصا الوكا الى اعتار خاصا ضرعد الت موكر ييروي مقدمه كريں۔ آن يَادِي مُ مُ مُ مُ كُلِّم مُ كُلِّم وَ الْمَام وَالْمُ مِدْلُ 08

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'n,

to per entro of the of 2021 - 01 - 20 _ كومقرر ب- آپ كوبذريد سمن / نوش بذا مطلع كياجاتا ب- كه داضح ہو کہ مقد مہ عنوان بالا میں پیشی اصالبًا، مختار تا، وکالبًا تاریخ مقرره پر عدالت حاضر ہو کر بیروی مقد مہ کریں۔ بصورت دیگر قانونی کاروائی عمل میں لائی جائے گ۔ ورور الت عذاب جارى كياكيار محرر سنئير سول جج /جو ڈيشل مجسٹريٺ ضلع اور کزنی بابر سیله

プラルご 122 21603-405 1 Monte Li 03549217 \$653 103 مناب عالى إ مرصن تيمان ها موقع ورا ميل - موقع برا خليل الرُّ عن تحرير موجود ما تا ميم سمن كلفيل أسك والدستام خان سے كوائ أله اور امن تعلقين والركوائا۔ منزا دارت رحن ا p.s mulmonkah بيا ن على

بیان علی میں حلق بیان علی میں حلق بیان علی در اور میں حلق بیان میں میں حلق بیان میں میں میں میں میں میں میں می