

Order-7
27/02/2021

Plaintiff present through counsel.


My this order is intended to decide question of jurisdiction of this court to entertain the suit in hand.

Learned counsel for the plaintiff heard and record gone through.

Perusal of the record reveals that plaintiff through instant suit is seeking declaration to the effect that his correct date of birth is 05.04.2001 while defendants have wrongly incorporated his date of birth as 05.04.1996 in their record. Hence, liable to correction.

From the plaint and education record of plaintiff annexed with plaint, it is evident that plaintiff is resident of District Karak and he studied from primary school to Matric in District Karak and passed examination of Matric from BISE Kohat as regular student of Government High School Khojaki Killa, Karak. Plaintiff through instant suit has challenged his date of birth recorded in Government Primary School Khojaki, Karak, Government High School Khojaki Karak and in his Matric DMC and certificate, which was recorded on basis of his School record. Similarly, plaintiff has also challenged his date of birth recorded in his CNIC, which was issued to him by NADRA at Karak.

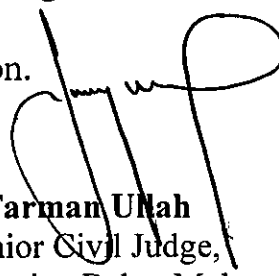
It is an admitted position that plaintiff studied and passed his matric examination from BISE Kohat at Karak. Similarly, CNIC was also issued to plaintiff at


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FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela

Karak. So, all these facts and circumstances clearly establish that cause of action accrued to the plaintiff at District Karak. Admittedly defendant No. 2 and 3 are residing at District Karak, and on the basis their record, Matric DMC and certificate was also issued to the plaintiff by defendant No. 1. Moreover, CNIC was issued to the plaintiff by NADRA through its office at Karak. So, no reason exists for plaintiff to challenge the act of official of NADRA at Karak in District Orakzai. None of other defendant are residing within the territorial jurisdiction of this court.

To conclude, it is held that this court at District Orakzai lacks the jurisdiction to entertain the suit in hand. Hence, plaint is returned in original to the plaintiff while remaining file be consigned to record room after completion and compilation.

Order Announced
27/02/2021


Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela

FARMANULLAH
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