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**COURT OF SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA**

Case Title: Khadija Bibi vs NADRA

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order. No. 06	06.10.2023	<p>Parties along with their respective counsel present. Arguments on the application for rejection of plaint under Order 7 Rule 11 and Section 10 CPC heard. Reply already submitted.</p> <p>The perusal of record shows that previously the present plaintiff along with his other brothers and sister had filed suit for declaration-cum-perpetual and mandatory injunction wherein, plaintiff No. 1 Jameel Khan had prayed for correction of his name and present plaintiff No. 2 being plaintiff No. 3 in the previous civil suit No. 21/1 of 2023 had also prayed for correction of her date of birth. The attested copy of judgement and order dated 26.05.2023 of Civil Judge-I, Orakzai is available on the case file which shows that suit of the present plaintiff No. 1 was decreed to the extent of correction of his name while prayer of present plaintiff No. 2 Shazia Bibi was dismissed vide the above judgement. Now through the present suit, both plaintiff No. 1 Jamil Khan and plaintiff No. 2 Shazia Bibi are seeking correction in their date of births, which was also matter in issue in their previous suit mentioned above, therefore, the instant suit of the present plaintiffs comes under the definition of res-judicata i.e., Section 11</p>

*[Signature]*  
**BAKHIT ZADA**  
Senior Civil Judg/JM  
Orakzai at Baber Mela

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Order. No. 06	06.10.2023	<p>of Civil Procedure Code. Section 11 of CPC is reproduced below for ready reference.</p> <p><b>Section 11 CPC: Res-judicata</b></p> <p><i>“No court shall try any suit or issue in which the matter directly and substantially an issue has been directly and substantially in issue in a formal suit between the same parties, or between parties under whom they, or any of them claim litigating under the same title, in a court competent to try such subsequent suit of the suit which such issue has been subsequently raised and has been heard and finally decided by such court.”</i></p> <p>Keeping in view the above facts and circumstances and Section 11 of the CPC, 1908, it can be safely held that the plaintiffs were denied the relief prayed for by them in the previous suit and now through the instant suit, they are seeking the same relief, therefore, their suit squarely comes under the definition of res-judicata. The same is hereby dismissed.</p> <p>Case file be consigned to the record room after necessary completion and compilation.</p> <p><b>Announced:</b> 06.10.2023</p> <p><i>Fauz</i> <b>(Bakht Zada)</b> Senior Civil Judge, Orakzai at Baber Mela.</p>
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