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IN THE COURT OF FARMAN ULLAH,
SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Civil Suit No. 52/1 of 2021
Date of Institution: 05/10/2021
Date of Decision: 26/11/2021

Anar Jan w/o Habib Ghulam r/o Caste Ali Khel Tappa Mirwas Khel, PO Ghiljo, Tehsil Upper District Orakzai..... (Plaintiff)

VERSUS

1. **Chairman, NADRA, Islamabad.**
2. **Director, General NADRA KPK Peshawar.**
3. **Assistant Director, NADRA District Orakzai.**

(Defendants)

**SUIT FOR DECLARATION, PERMANENT AND MANDATORY
INJUNCTION**

SUMMARY JUDGEMENT:

26.11.2021

1. Plaintiff, **Anar Jan w/o Habib Ghulam**, has brought the instant suit for declaration-cum-permanent injunction against the defendants, referred hereinabove, seeking declaration, therein, that the correct name of plaintiff is **Anar Jan**, while it has been wrongly mentioned as Anar Begum in CNIC of plaintiff by the defendants, which is against the facts and circumstances. That defendants were repeatedly asked to correct the same but they refused, hence, the instant suit.

Defendants were summoned, who appeared through attorney namely **Syed Farhat Abbas**, and submitted their written statement.

3. During the discovery management within the meaning of order IX-A of CPC, it was revealed that the matter involve in the instant case is very petty in nature, which can be decided through

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summary judgement as per relevant record and to this effect notice was given to the parties that why not case in hand be decided on the basis of available record without recording pro and contra evidence, as the primary aim and objective of Amended Management Rules 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."

4. Learned counsel for the plaintiffs and representative for defendants heard and record gone through.

5. Record reveals that plaintiff through instant suit is seeking correction of her name to the effect that correct name of the plaintiff is Anar Jan but defendants have wrongly mentioned the same as Anar Begum in her CNIC. Plaintiff in support of her contention produced the pension book of her husband. The perusal of which depicts that the name of plaintiff has been recorded as Anar Jan in pension book of her husband. So, the available record establishes that name of the plaintiff is Anar Jan rather than Anar Begum and the same record is sufficient to decide the fate of case without recording evidence.

Consequently, upon what has been discussed above and the jurisdiction vested in this court under order IX-A and XV-A of


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CPC, suit of the plaintiff succeeds and is hereby decreed as prayed for. Defendants are directed to correct the name of the plaintiff as Anar Jan in their record.


- 6. Parties are left to bear their own costs.
- 7. File be consigned to the record room after its necessary completion and compilation.

Announced
26/11/2021


FARMANULLAH
Senior Civil Judge
~~Farman Ullah~~
Senior Civil Judge,
Orakzai at Baber Mela.

CERTIFICATE

Certified that this judgment of mine consisting of 03 (three) pages, each has been checked, corrected where necessary and signed by me.


FARMANULLAH
Senior Civil Judge
~~Farman Ullah~~
Senior Civil Judge,
Orakzai at Baber Mela.