

**IN THE COURT OF REHMAT ULLAH WAZIR,**  
CIVIL JUDGE-I, ORAKZAI AT BABER MELA

Civil Suit No. 165/1 of 2021  
Date of Institution 11.10.2021  
Date of Decision: 21.12.2021

1. **Zarjamina w/o Abeel Khan, R/O Qoum Stori Khel, Tappa Laalbi Khel, Sheraz Garhi, Tehsil Lower District Orakzai**  
*(Plaintiff)*

VERSUS


2. **Chairman, NADRA, Islamabad.**  
3. **Director, General NADRA Khyber Pakhtunkhwa, Peshawar.**  
4. **Assistant Director, NADRA District Orakzai.**

*(Defendants)*

**SUIT FOR DECLARATION, CUM PERPETUAL AND  
MANDATORY INJUNCTION**

**SUMMARY JUDGEMENT:**  
21.12.2021

1. Brief facts of the case in hand are that the plaintiff, **Zarjamina**, has brought the instant suit for declaration cum perpetual and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that her correct date of birth is **01.01.1982**, according to School Leaving Certificate while it has been wrongly mentioned as 01.01.1980, in her CNIC by the defendants, which is wrong, ineffective upon the rights of the plaintiff and liable to correction. That defendants were repeatedly asked to correct the date of birth of plaintiff but they refused, hence, the instant suit.

  
Rehmat Ullah Wazir  
Civil Judge/JM-I  
Orakzai at (Babar Mela)

2. Defendants were summoned, who appeared through their representative namely Syed Farhat Abbas, who submitted written statement.

3. During the scheduling conference within the meaning of order IX-A of CPC, it was revealed that the matter involved in the instant case is very petty in nature, which can be decided through summary judgement as per relevant record. To this effect notice was given to the parties that why not the case in hand be decided on the basis of available record without recording lengthy 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."

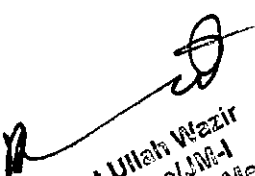
*[Signature]*  
 Rehmat Ullah Wazir  
 Civil Judge/JM-1  
 Orakzai at (Babar Mela)

The relevant school's recordkeeper was summoned and the one Rehmat Ullah appeared as CW-01 and produced Admission and Withdrawal Register, the copy of which is Ex.CW-1/2 and that according to this, the date of birth of the plaintiff is 01.01.1982.

Learned counsel for plaintiff and representative for defendants heard and record gone through.

4. Record reveals that plaintiff through instant suit seeking declaration therein that her correct date of birth is **01.01.1982**, according to School Leaving Certificate while it has been wrongly mentioned as 01.01.1980, in her CNIC by the defendants, which is wrong, ineffective upon the rights of the plaintiff and liable to correction. Plaintiff in support of her contention produced the copy of Admission and Withdrawal Register and Provisional Certificate of school, wherein the date of birth of the plaintiff has been mentioned as **01.01.1982**, So, the Admission and Withdrawal register and Provisional Certificate of school, of the plaintiff clearly negate the incorporation of her date of birth as 01.01.1980 in her CNIC. Further, there is no countered document available with the defendants to rebut the documents produced by the plaintiff in support of his stance, which establishes that the date of birth of the plaintiff has wrongly been mentioned in her CNIC that is against the facts and circumstances. The available record is sufficient to decide the fate of the case and no further evidence is required to be produced by the parties.

5. Consequently, upon what has been discussed above and the jurisdiction vested in this court under order IX-A and XV-A of CPC, suit of the plaintiff succeeds and is hereby **decreed**

  
Rehmat Ullah Wazir  
Civil Judge/JM-1  
Orakzai at (Babar Mela)

as prayed for. Defendants are directed to correct the date of birth of plaintiff as **01.01.1982** in their record of the plaintiff.

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

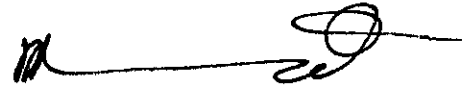
**Announced**  
**21.12.2021**



**(Rehmat Ullah Wazir)**  
Civil Judge-I,  
Orakzai (at Baber Mela)

**CERTIFICATE**

Certified that this judgment of mine consists of **04** (Four) pages, each has been checked, corrected where necessary and signed by me.



**(Rehmat Ullah Wazir)**  
Civil Judge-I,  
Orakzai (at Baber Mela)