

(10)

IN THE COURT OF BAKHT ZADA,
SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Civil Suit No. 02/1 of 2024.
Date of Institution: 03.01.2024.
Date of Decision: 09.01.2024

1. *Ajmir Ali S/O Sadiq Ali,*
 2. *Alima Jan W/O Ajmir Ali,*
 3. *Khaneezada D/O Sadiq Ali R/O Qaum Bar Muhammad Khel, Tappa Alat Khel, Village Khando, Tehsil Lower, District Orakzai.*
- (Plaintiffs)**

VERSUS

1. *Chairman NADRA, Islamabad.*
2. *Director General NADRA, KPK at Hayat Abad Peshawar.*
3. *Assistant Director NADRA, Orakzai.*

(Defendants)

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

JUDGEMENT:

09.01.2024

1. Plaintiff Ajmir Ali S/O Sadiq Ali and two others have brought the instant suit against defendants Chairman NADRA, Islamabad and 02 others for declaration-cum-perpetual and mandatory injunction to the effect that plaintiff No. 1 and No. 2 have four sons and one daughter. The first two children of plaintiffs i.e., plaintiff No. 3 and Insaf Ali were twins, who born on 03.01.1992, but the date of birth of daughter being one of the twins has been wrongly entered as 01.01.1992. Date of birth of plaintiff No. 1 is 03.04.1979 and plaintiff No. 2 is 01.01.1978 which is unnatural with their daughter plaintiff No. 3 and other son Insaf Ali. It is alleged that in fact the correct

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date of birth of plaintiff No. 1 is 03.04.1972 and that of plaintiff No. 2 is 01.01.1973, but the same have been wrongly entered as 03.04.1979 and 01.01.1978 respectively. He alleged that the defendants were asked time and again for correction of date of birth of the plaintiffs, but they refused to do so, hence, the present suit;

2. Defendants were summoned, who in their written statement admitted that there is an unnatural gap of 13/14 years between the date of birth of plaintiffs with their elder son Insaf Ali. It is also admitted that there is an unnatural gap of 02 days between the date of birth of plaintiff No. 3 and her twin brother Insaf Ali.

3. Plaintiffs through special attorney requested for summary disposal of the suit. Representative of defendants stated that as per NADRA SOPs, date of birth of a person can be modified/rectified if there is unnatural age gap of 16/17 years between parents and children. Per record, there is an unnatural gap of 13/14 years between the date of birth of plaintiffs with their elder son Insaf Ali and plaintiff No. 3. It is also admitted that there is an unnatural gap of 02 days between the date of birth of plaintiff No. 3 and her twin brother Insaf Ali which can be rectified under the law. Plaintiff is not a government servant. The modification sought by plaintiffs will not affect rights of others. Representative of defendants stated that date of birth of plaintiff may be rectified as per NADRA SOPs.

S. Javed

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There is no need of recording evidence of the parties. Defendants are directed to rectify date of birth of plaintiffs as prayed for. Suit of plaintiff is decreed as prayed for. No order as to cost.

File be consigned to the Record Room after its completion and compilation.

Announced
09.01.2024

Bakht Zada
9.1.24
(Bakht Zada)
Senior Civil Judge,
Orakzai at Baber Mela

CERTIFICATE

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

Bakht Zada
9.1.24
(Bakht Zada)
Senior Civil Judge,
Orakzai at Baber Mela