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

Civil Suit No. 50/1 of 2023  
Date of Institution: 07.12.2023  
Date of Decision: 22.12.2023

**Pir Bashir Jan s/o Pir Aslam Shah, R/O Qoum Biland Khel, Tappa Piran,**  
**District Orakzai.**

**(Plaintiff)**

**VERSUS**

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

**(Defendants)**

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

**SUMMARY JUDGEMENT:**

**22.12.2023**

1. Brief facts of the case in hand are that the plaintiff, **Pir Bashir Jan** has brought the instant suit for declaration cum perpetual and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that his correct name is **Pir Bashir Jan** according to Domicile Certificate and it has been wrongly mentioned as **Pir Nawaz** in his CNIC by the defendants. That correct name of his father is **Pir Aslam Shah** and that of his mother is **Anar Bibi**, while these have been wrongly mentioned as **Naseem Shah** (father) and **Khan Bibi** (mother) in his record with the defendants, which is wrong, ineffective upon the rights of the

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plaintiff and liable to correction. That the father's name of the plaintiff is correctly mentioned as Pir Aslam Shah in the CNIC of Pir Subhan Allah (brother of the plaintiff). That the defendants were repeatedly asked to correct the name of the plaintiff and the names of his parents but they refused, hence, the instant suit.

2. Defendants were summoned, who appeared through their representative namely Mr. Irfan Hussain, 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 Enforce compliance with provisions of this Code."

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

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Senior Advocate  
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4. Record reveals that plaintiff through instant suit seeking declaration therein that his correct name is Pir Bashir Jan according to Domicile Certificate and it has been wrongly mentioned as Pir Nawaz in his CNIC by the defendants. That correct name of his father is **Pir Aslam Shah** and that of his mother is **Anar Bibi**, while these have been wrongly mentioned as Naseem Shah (father) and Khan Bibi (mother) in his record with the defendants; which is wrong, ineffective upon the rights of the plaintiff and liable to correction. Plaintiff in support of his contention has produced his domicile and CNIC & domicile of his brother namely Pir Subhan Allah. So, the domicile of the plaintiff and CNIC & domicile of his brother clearly negate the incorporation of his name and parentage in his CNIC. Further, there is no counter document available with the defendants to rebut the documents produced by the plaintiff in support of his stance. There is a standard operating procedure of NADRA to make such correction after obtaining biometrics of siblings/parents of the plaintiff and there is no hurdle for the defendants to complete the said procedure, otherwise too the plaintiff through the above-mentioned record i.e domicile certificate his another brother has established that the name of the plaintiff and his parent's names have been wrongly been

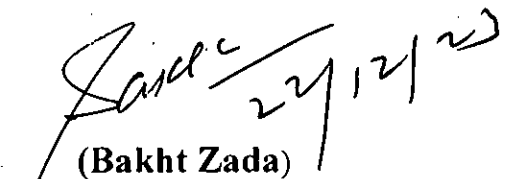
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mentioned in his CNIC that is against the facts and circumstances. The available record is sufficient to decide the fate of the case and no further evidence is required to be produced by the parties.

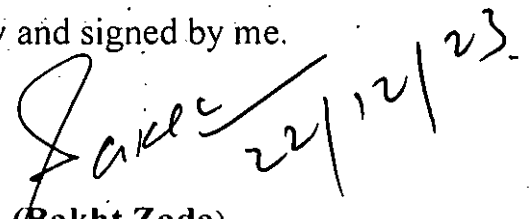
5. Consequently, upon what has been discussed above and the jurisdiction vested in this court under order IX-A and XV-A of CPC, suit of the plaintiff succeeds and is hereby decreed as prayed for with no order as to cost. Defendants are directed to correct the name of the plaintiff as **Pir Bashir Jan** as well as his parent's names as **Pir Aslam Shah (father) and Anar Bibi (mother)** in their record and in the CNIC of the plaintiff.
6. File be consigned to the record room after its necessary completion and compilation.

Announced  
22.12.2023

  
(Bakht Zada)  
Senior Civil Judge,  
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.

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