

(19) (23)

**IN THE COURT OF SHABEER AHMAD,
Civil Judge-II, Tehsil Court, Kalaya, Orakzai.**

Suit No.....55/1 of 2022

Date of Institution.....26.02.2022

Date of decision.....06.07.2022

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Muhammad Yaseen son of Noor Rehman, resident of Qaum Issa Khel,
Tappa Mero Khel, Tehsil Central District Orakzai.

.....(Plaintiff)

Versus

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

.....(Defendants)

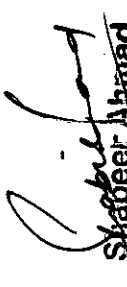
SUIT FOR DECLARATION & PERMANENT INJUNCTION.

Ex-parte Order

06.07.2022

Plaintiff through counsel present. Defendants have already
been placed ex-parte. Ex-parte arguments already heard and record
perused.

Brief facts in the backdrop are that plaintiff has filed the
instant suit against the defendants for declaration and permanent
injunction to the effect that correct date of birth of the plaintiff is
01.01.2002, according to Secondary School DMC, but defendants
have wrongly and incorrectly entered the date of birth of the plaintiff
as **01.01.1996** in their record which entry is wrong, illegal and
ineffective upon the rights of plaintiff and liable to be rectified. That


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Orakzai at (Kalaya)

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defendants were asked time and again to rectify plaintiff date of birth as **01.01.2002**, but in vain hence, the present suit.

With due process of law and procedure, defendants were served properly, but they did not appear, therefore, placed and proceeded against ex-parte.

After submission of list of witnesses, plaintiff was allowed to produce his ex-parte evidence. Plaintiff produced three (03) witnesses in support of his claim. Thereafter, ex-parte evidence of plaintiff was closed.

Plaintiff No. 01 namely Muhammad Yaseen son of Noor Rehman, appeared as PW-01. He produced his Matric DMC of Kohat Board, CNIC and Character Certificate which are exhibited as Ex. PW-1/1 to Ex. PW-1/3 respectively (original seen and returned) and further narrated the same story as in the plaint.

Muhammad Rehman son of Noor Rehman, the brother of the plaintiff appeared as PW-02. Copy of his CNIC is Ex. PW-2/1. He further supported the stance of the plaintiff.

Jamel Khan son of Lal Badshah, the relative of the plaintiff appeared as PW-03. He produced his CNIC which is exhibited as Ex. PW-3/1. He further supported the contention of the plaintiff.

Claim and contention of plaintiff is that correct date of birth of the plaintiff is 01.01.2002, but defendants have incorrectly entered the

Shahar Ahmad
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Orakzai (Kalaya)

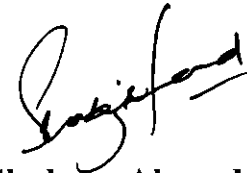
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date of birth as **01.01.1996**, which is wrong, illegal and in effective upon the rights of plaintiffs and liable to be rectified.

There is nothing in rebuttal due to ex-parte while plaintiff produced cogent, convincing and reliable documentary as well as oral evidence in support of his claim. The plaintiff in his support produced the Secondary School DMC wherein clearly shows the date of birth of the plaintiff is 01.01.2002, therefore, suit of plaintiff is hereby ex-parte decreed as prayed for. No order as to cost. This decree shall not affect the rights of others, interested if any. This decree shall not affect service record of plaintiff, if any.

File be consigned to District Record Room, Orakzai after necessary completion and compilation.

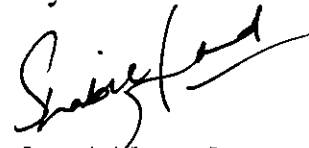
Announced
06.07.2022



Shabeer Ahmad
Civil Judge-II
Tehsil Court, Kalaya Orakzai

CERTIFICATE

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



Shabeer Ahmad
Civil Judge-II
Tehsil Court, Kalaya Orakzai