

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

Suit No.....28/1 of 2022

Date of Institution.....10.06.2022

Date of decision.....02.07.2022

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Ruqaiya Sherin wife of Sherin Gul, resident of Qaum Shiekhan, Tappa Bazid Khel, Tehsil Central District Orakzai.

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(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

02.07.2022

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 name of the plaintiff is Ruqaiya

Sherin, correct husband name Sherin Gul and correct date of birth is

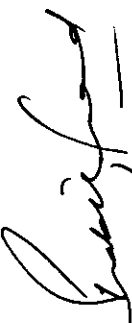
01.01.1990, but defendants have wrongly and incorrectly entered

name of plaintiff as **Ruqaiya Arif** wife of **Muhammad Arif** and date


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 Civil Judge/JM-II
 Orakzai Dist. (Kalaya)

of birth as **01.01.1982** in their record which entries are wrong, illegal and ineffective upon the rights of plaintiff and liable to be rectified. Plaintiff have further averred that due to this wrong entry, there is unnatural gap between plaintiff and her father. That defendants were asked time and again to rectify plaintiff name as **Ruqaiya Sherin**, husband name as **Sherin Gul** and date of birth as **01.01.1990**, but in vain hence, the present suit.

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


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


Plaintiff No. 1 namely Said Ullah son of Fazal Shah, relative of the plaintiff appeared as PW-01. He narrated the same story as in the plaint. His CNIC is Ex. PW-1/1.

Abdul Qadir son of Yaghbali Shah, relative of the plaintiff, deposed as PW-02. Copy of his CNIC is Ex. PW-2/1. He further supported the stance of the plaintiff.

Qabil Shah Son of Barkat Shah, father of the plaintiff and attorney for the plaintiff appeared as PW-03. He produced Divorce Registration Certificate, Marriage Certificate with present husband, his

CNIC, plaintiff CNIC and death certificate of mother of the plaintiff which are exhibited as Ex. PW-3/1 to Ex. PW-3/5 respectively and further supported the stance of the plaintiff.

Claim and contention of plaintiff is that correct name of plaintiff is Ruqaiya Sherin, correct husband name is Sherin Gul and correct date of birth is 01.01.1990 but defendants have incorrectly entered name of plaintiff as **Ruqaiya Arif** wife of **Muhammad Arif** and date of birth as **01.01.1982**, which is wrong, illegal and in effective upon the rights of plaintiffs and liable to be rectified.


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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 her claim. The plaintiff has got divorce from her former husband namely Muhammad Arif and later on married Sherin Gul. Divorce Registration Certificate and Marriage Registration Certificate provided by the plaintiff duly support the stance of the plaintiff. The Ex. PW-3/4 clearly shows a gap of 11 years between the plaintiff and her father which is un-natural and against the SOP of NADRA.

As there is nothing in rebuttal due to ex-parte and plaintiff produced reliable evidence, 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 record room after necessary completion and compilation.

Announced
02.07.2022.



Shabeer Ahmad
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Tehsil Court, Kalaya Orakzai

CERTIFICATE

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



Shabeer Ahmad
Civil Judge-II
Tehsil Court, Kalaya Orakzai