

IN THE COURT OF ZAHIR KHAN,  
Civil Judge-I, Kalaya, Orakzai.

Suit No.....190/1 of 2022

Date of Institution..... 09.11.2021

Date of decision.....28.06.2022

=====

Syed Lal Hussain S/O Syed Ibrahim R/O Qoum Bar Muhammad Khel,  
Tappa Baba Nawasi, Kurez, Darwazi, Tehsil Lower, District Orakzai.

..... (Plaintiff)

Versus

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

..... (Defendants)

=====

**SUIT FOR DECLARATION & PERMANENT INJUNCTION.**

=====

Ex-parte Order  
28.06.2022

Plaintiff along with counsel present. List of witnesses submitted. Ex-parte evidence of plaintiff recorded as PW-01 and PW-02 and closed. Ex-parte arguments also heard and record perused.

Brief facts in the backdrop are that plaintiff namely Syed Lal Hussain has filed the instant suit against the defendants Chairman

Nadra, Islamabad and two others for declaration and permanent

injunction to the effect that as per service record and medical certificate,

correct date of birth of plaintiff is 01.1.1968, however, defendants have

incorrectly entered date of birth of plaintiff as 01.01.1959 which is

wrong, illegal and ineffective upon the rights of plaintiff and liable to

*J. A.*  
28/06/2022

**ZAHIR KHAN**  
**Civil Judge/JM**  
**Kalaya Orakzai**

be rectified. That defendants were asked time and again to rectify date of birth of plaintiff but in vain hence, the present suit.

With due process of law and procedure, the defendants were summoned, they appeared through representative. Authority letter and written statement was filed but later on, he remained absent, therefore, placed and proceeded against ex-parte.

Plaintiff produced two witnesses in support of his claim.

Niqab Ali, Primary School Head Teacher appeared and deposed as PW-01. He produced Service Book of plaintiff consisting of 09 sheets as Ex. PW-1/1, Medical Certificate, Authority letter issued by DEO, Orakzai and Service Card exhibited as Ex. PW-1/2, Ex. PW-1/3 and Ex. PW-1/4.

Plaintiff himself deposed as PW-02. Copy of his CNIC exhibited as Ex. PW-2/1. He reiterated the averments of plaint. He lastly requested for decree of suit against the defendants as prayed for.

Claim and contention of plaintiff is that as per Service Record and Medical Certificate, his true and correct date of birth is 01.01.1968,

however, defendants have incorrectly entered date of birth of plaintiff as 01.01.1959 which is wrong, illegal and ineffective upon the rights of plaintiff 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

*JM*

28/06/22

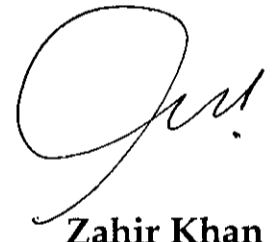
**ZAHIR KHAN**  
**Civil Judge/JM**  
**Kalaya Orakzai**

evidence in support of his claim. As per Service Record, date of birth of plaintiff is recorded as 01.01.1968. Per medical certificate, age of plaintiff at the time of his appointment on 07.04.2007 was 39 years which is supportive to the claim of plaintiff. Plaintiff is not seeking any modification in his date of birth recorded in his service record.

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.

File be consigned to record room after necessary completion and compilation.

**Announced**  
28.06.2022.



**Zahir Khan**  
Civil Judge-I, Kalaya, Orakzai