

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

Suit No.....33/1 of 2022
Date of Institution.....12.03.2022
Date of Decision.....05.07.2022
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Syed Hamid S/O Muhammad Bashir, Qaum Bar Muhammad Khel, Tapa Baba
Nawasi, Mandai, Tehsil Lower, District Orakzai.

.....(Plaintiff)

VERSUS

1. Chairman NADRA, Islamabad.
2. Assistant Director NADRA, District Orakzai.
3. Kohat Board at Kohat, Bannu Road.

..... (Defendants)

SUIT FOR DECLARATION & PERMANENT INJUNCTION

Ex-parte Order
05.07.2022

Shabeer Ahmad
Shabeer Ahmad
Civil Judge-II
Orakzai (Kalaya)

Plaintiff through counsel present. Ex-parte arguments already
heard and record perused.

Brief facts in the backdrop are that plaintiff has filed the instant suit
for declaration cum-permanent injunction to the effect that correct name of
plaintiff is **Syed Hamid** and his correct father's name is **Muhammad Bashir**,
however, defendant No. 1 and No. 2 have entered name of plaintiff as **Syed
Hamid ul Hassan Sherazi** in their record while defendant No. 3 has entered
plaintiff's name as Syed Hamid ul Hassan and his father's name is entered as
Syed Muhammad Basheer by defendant No. 3 which entries are wrong, illegal
and ineffective upon the rights of plaintiff and liable to be rectified. That
defendants were asked time and again to rectify name of plaintiff as Syed


Hamid and name of his father as Muhammad Bashir but in vain hence, the present suit.

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

After submission of list of witnesses, plaintiff was allowed to produce his ex-parte evidence. Plaintiff himself deposed as PW-01. He reiterated the averments of plaint. He produced Secondary School Certificate as Ex. PW-1/1. DMC, father's CNIC, his CNIC as Ex. PW-1/2, Ex. PW-1/3 and Ex. PW-1/4. He lastly requested for decree of suit.

Mashrab Hussain and Syed Lal Akbar, uncle of plaintiff deposed as PW-02 and PW-03 respectively. Copy of their CNICs are Ex. PW-2/1 and Ex. PW-3/1. They fully supported the claim of plaintiff. Thereafter, ex-parte evidence of plaintiff was closed and ex-parte arguments were heard.

Claim and contention of plaintiff is that his correct name is **Syed Hamid** and his correct father's name is **Muhammad Bashir**, however, defendant No. 1 and No. 2 have entered name of plaintiff as **Syed Hamid ul Hassan Sherazi** in their record while defendant No. 3 has entered plaintiff's name as Syed Hamid ul Hassan and his father's name is entered as Syed Muhammad Bashir by defendant No. 3 which entries are wrong, illegal and in effective upon the rights of plaintiff and liable to be rectified.


Shabeer Ahmad
Orakzai (Kalaya)

(230)

As per Ex. PW-1/2 (DMC of the plaintiff) the name of plaintiff is written as Syed Hamid ul Hasssan while in Ex. PW-1/4 (CNIC of the plaintiff) his name is written as Syed Hamid ul Hassan Sherazi which needs correction.

As per Ex. PW-1/3 (CNIC of father of plaintiff) correct name of plaintiff's father is Muhammad Bashir. There is nothing in rebuttal due to ex-parte while plaintiff produced cogent and reliable documentary as well as oral evidence in support of his claim. 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
05.07.2022



Shabeer Ahmad
Civil Judge-II,
Tehsil Court, Kalaya, Orakzai

CERTIFICATE

Certified that this judgment 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