

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

Suit No.....13/1 of 2022

Date of Institution..... 11.02.2022.

Date of decision.....21.06.2022.

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Shoib Ali S/O Ashrat Ali R/O Qoum Ali Khel, Tappa Mirwas Khel, Tropi,  
Tehsil Upper, District Orakzai..... (Plaintiff)

Versus

- 1. Chairman NADRA, Islamabad
- 2. Assistant Director, NADRA, District Orakzai

..... (Defendants)

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**SUIT FOR DECLARATION & PERMANENT INJUNCTION.**

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Order

21.06.2022

Plaintiff along with counsel present. List of witnesses submitted. Ex-parte evidence of plaintiff present and recorded as PW-01 to PW-04 and closed. Ex-parte arguments also 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 plaintiff is 04.12.2005, however, defendants have incorrectly entered date of birth of plaintiff

as 24.05.2002 which is wrong, illegal and liable to be rectified. That

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

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**Civil Judge/JM**  
**Kalaya Orakzai**

21/06/2022

With due process of law and procedure, the defendants were summoned, they appeared through representative. Authority letter was submitted, but later on the 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. Family tree is Ex. PW-1/1. Secondary School Certificate and DMC are Ex. PW-1/2 and Ex. PW-1/3. He lastly requested for decree of suit.

Uncle of plaintiff namely Zameen Ali deposed as PW-02. Copy of his CNIC is Ex. PW-2/1. Shabeer Ali and Israf Ali, relatives of plaintiff deposed as PW-03 and PW-04 respectively. Copies of their CNICs are Ex. PW-3/1 and Ex. PW-4/1. They fully supported the claim of plaintiff. Thereafter, ex-parte evidence of plaintiff was closed.

Claim and contention of plaintiff is that his true and correct date of birth is **04.12.2005**, however, defendants have incorrectly entered date of birth of plaintiff as **24.05.2002** which is wrong, illegal and in effective 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 evidence in support of his claim. As per SSC, date of birth of plaintiff is recorded as 04.12.2005. SSC carries weight as presumption of correctness

*JM*

21/06/2022

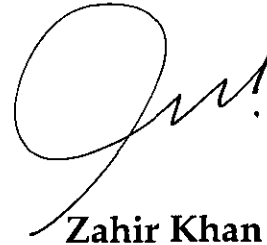
**ZAHIR KHAN**  
**Civil Judge, IV**  
**Kalaya Orakza**

is attached to it. Plaintiff is a young person and could not be presumed to have instituted the instant case for any ulterior motive.

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**  
21.06.2022.



**Zahir Khan**  
Civil Judge Kalaya Orakzai