

IN THE COURT OF SHABEER AHMAD,
CIVIL JUDGE-II, TEHSIL COURT, KALAYA, ORAKZAI

Suit No.....83/1 of 2022
Date of Original Institution.....17.02.2022
Date of Transfer in.....01.07.2022
Date of decision.....04.08.2022

Nida Begum daughter of Ghufuran Ali, resident of Qaum Mani Khel, Tappa Mast Ali Khel, Hussaini Abad, Star Saam, District Orakzai.

(Plaintiff)

VERSUS

1. **Assistant Director, NADRA, District Orakzai.**

(Defendant)

SUIT FOR DECLARATION -CUM- PERPETUAL AND MANDATORY INJUNCTION

Ex-parte Order

04.08.2022

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

Brief facts in the backdrop are that plaintiff has filed the instant suit against the defendant for declaration and permanent injunction to the effect that correct date of birth of the plaintiff is **10.10.2004**, according to Secondary School Record and DMC (9th Class), but defendant has wrongly and incorrectly entered the date of birth of plaintiff

Shabeer Ahmad
Shabeer Ahmad
04.08.2022
Orakzai at (Kalaya)

as 01.10.1997 in his record which entry is wrong, illegal and ineffective upon the rights of plaintiff and liable to be rectified. That defendants were asked time and again to rectify plaintiff date of birth as **10.10.2004**, but in vain hence, the present suit.

With due process of law and procedure, defendant was summoned, but they did not appear before the Court despite proper service, therefore, placed and proceeded against ex-parte.

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

Nadeem Abbas son of Ghufran Ali, the attorney for the plaintiff appeared as PW-01. He produced special power of attorney which is exhibited as Ex. PW-1/1. Further produced the 9th Class DMC and School Leaving Certificate which are exhibited as Ex. PW-1/2 & Ex. PW-1/3 respectively and according to that the date of birth of the plaintiff is **10.10.2004**. Lastly, he prayed for the decree of the suit.

Shabeer Abbas
Shabeer Abbas
Civil Judge, District Court
Orakzai, (F-10/2021)

Shazmeen Ali son of Jamal Hassan, appeared as PW-02. Copy of his CNIC is Ex. PW-2/1. He further supported the stance of the plaintiff.

Claim and contention of plaintiff is that correct date of birth of plaintiff is **10.10.2004** but defendant has incorrectly entered date of birth plaintiff as 01.10.1997, which is wrong, illegal and in effective upon the rights of plaintiff and liable to be rectified.

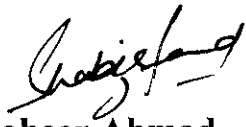
The plaintiff produced her School Leaving Certificate and 9th Class DMC, according to which date of birth of the plaintiff **10.10.2004**. The School Leaving Certificate and 9th Class DMC are public documents which are reliable documents and the defendant has entered date of birth of the plaintiff as 01.10.1997 in her CNIC.

Shabeer Ahmad
Shabeer Ahmad
Civil Judge
Orakzai (Kalayat)

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. Defendants are directed to correct date of birth of the plaintiff as **10.10.2004** in their record. 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
04.08.2022.



Shabeer Ahmad
Civil Judge-II
Tehsil Court, Kalaya Orakzai

CERTIFICATE

Certified that this ex- parte judgment/order consists of
four (04) pages, each has been checked, corrected where necessary and
signed by me.



Shabeer Ahmad
Civil Judge-II
Tehsil Court, Kalaya Orakzai