

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

Suit No.....86/1 of 2022.  
Date of Original Institution..... 11.02.2022.  
Date of restoration..... 15.08.2022.  
Date of decision.....15.08.2022.  
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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)

**SUIT FOR DECLARATION & PERMANENT INJUNCTION.**

**SUMMARY JUDGEMENT**  
**15.08.2022**

Plaintiff present through counsel. Representative of defendants present. Vide my separate order of today, ex-parte decree dated 21.06.2022 is set aside. Suit in hand be entered accordingly. Representative of defendants stated that plaintiff has placed reliance on Secondary School Certificate, therefore, if suit of plaintiff is decreed then date of birth of plaintiff will be rectified/modified accordingly. Counsel for plaintiff and representative of defendants requested for summary disposal of the suit. Arguments heard and record perused.

Brief facts in the backdrop are that plaintiff has filed the instant suit

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**Kalaya Orakzai**

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.

With due process of law and procedure, the defendants were summoned, they appeared through representative. Authority letter was submitted. Written statement was also filed.

Thereafter, defendants were placed ex-parte as they remained absent. Ex-parte evidence of plaintiff was recorded as PW-01 to PW-04. Ex-parte evidence of plaintiff was closed and arguments were heard. Suit of plaintiff was ex-parte decreed in favour of plaintiff against the defendants. Today, counsel for plaintiff marked his no objection on acceptance of application for setting aside ex-parte decree, resultantly, ex-parte decree dated 21.06.2022 was set aside. Counsel for plaintiff and representative for defendants requested for summary disposal of the suit as plaintiff is seeking rectification of his date of birth on the strength of Secondary School Certificate.

Record shows that plaintiff has placed reliance on Secondary School Certificate. Per Secondary School Certificate, date of birth of plaintiff is recorded as 04.12.2005. Representative of defendants stated that date of birth of plaintiff may be modified as per SSC per NADRA SOPs. SSC of plaintiff is placed on file. There is no need of recording evidence of the parties. Defendants are directed to rectify date of birth of plaintiff as 04.12.2005 accordingly. Suit of plaintiff is decreed as prayed for. No order as to cost. This



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decree shall not affect 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**  
15.08.2022.



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