

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

Civil Suit No. 150/1 of 2022  
Date of Institution: 01.11.2022  
Date of Decision: 23.11.2022

**Babeela Jan daughter of Bhangi Sher**, resident of Qaum Mishti, Tapa Mamizai, Anjaghalay, Tehsil Central, District Orakzai.

.....(Plaintiff)

**VERSUS**

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

.....(Defendants)

**SUIT FOR DECLARATION, PERMANENT AND MANDATORY INJUNCTION**

**SUMMARY JUDGEMENT:**  
**23.11.2022**

1. Brief facts of the case in hand are that the plaintiff, has brought the instant suit for declaration, permanent and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that correct date of birth of the plaintiff is **01.01.1966**, while defendants have wrongly entered the date of birth of plaintiff as 01.01.1997 in the CNIC of plaintiff, which is wrong, ineffective upon the rights of the plaintiff and liable to correction. That the defendants were repeatedly asked to correct the date of birth of plaintiff but they refused, hence, the instant suit.
2. Defendants were summoned, who appeared through their representative, who submitted authority letter and written statement.

*Shabeer Ahmad*  
Shabeer Ahmad  
CJ-II/11/2022-II  
Orakzai (Kalaya)

3. During the scheduling conference within the meaning of order IX-A of CPC, it was revealed that the matter involved in the instant case is very petty in nature, which can be decided through summary judgement as per relevant record. To this effect notice was given to the parties that why not the case in hand be decided on the basis of available record without recording lengthy evidence, as the primary aim and objective of Amended Management Rules in CPC is, "to enable the court to-

- a. Deal with the cases justly and fairly;
- b. Encourage parties to alternate dispute resolution procedure if it considers appropriate;
- c. Save expense and time both of courts and litigants; and
- d. Enforce compliance with provisions of this Code."

Learned counsel for plaintiff heard and record gone through.

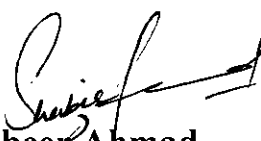
4. Record reveals that plaintiff through instant suit is seeking correction of date of birth to the effect that her correct date of birth is **01.01.1966** while defendants have wrongly entered **01.01.1997** in the CNIC of the plaintiff, which is wrong, ineffective upon the rights of the plaintiff and liable to correction. Plaintiff in support of her contention annexed photo copy of death certificate of her father namely Bhangi Sher son of Said Sher, wherein father of the plaintiff passed away on 02.04.1975. It is not possible that plaintiff was born after 22 years of the death of her father. Further the family tree provide by representative for defendants shows the date of birth of the plaintiff's mother as 1947 and that of her sister

*Shabeel Ahmad*  
 CJ-2/11/2023  
 Orakzai (Calaya)

as 01.01.1965. The documents provided by plaintiff clearly negate the incorporation of date of birth of plaintiff as 01.01.1997. Further, there is no countered document available with the defendants to rebut the document produced by the plaintiff in support of her contention. So, the available record clearly establishes the claim of the plaintiff.

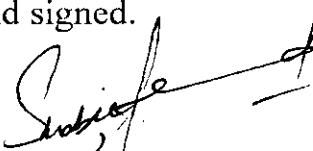
- 5. Consequently, upon what has been discussed above and the jurisdiction vested in this court under order IX-A and XV-A of CPC, suit of the plaintiff succeeds and is hereby decreed as prayed for. Defendants are directed to correct date of birth of plaintiff as **01.01.1966** in their record and in the CNIC of the plaintiff. This decree shall not affect right of other person or service record etc. if any.
- 6. Parties are left to bear their own costs.
- 7. File be consigned to the District Record Room, Orakzai after its necessary completion and compilation.

**Announced**  
**23.11.2022**

  
**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.

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