

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

Civil Suit No. 32/1 of 2022
Date of Original Institution: 14.06.2022
Date of Transfer in: 29.06.2022
Date of Decision: 04.08.2022

**Nazia Bibi daughter of Akhunzada and wife of
Muhammad Salam, Resident of Qaum Stori Khel, Tappa
Mala Khel, Khwa Darra, Tehsil Lower District Orakzai.**

(Plaintiff)

VERSUS

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

(Defendants)

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

**SUMMARY JUDGEMENT:
04.08.2022**

1. Brief facts of the case in hand are that the plaintiff **Nazia Bibi**, through attorney has brought the instant suit for declaration, permanent and mandatory injunction against the defendant, referred hereinabove, seeking declaration therein that her correct name is **Nazia Bibi** and correct husband name is **Muhammad Salam** while it has been wrongly mentioned as Nazia and husband name as Gul Meer in her CNIC by the defendants, which are wrong, ineffective upon the rights of the plaintiff and liable to correction. That the defendants were repeatedly asked to correct the name and husband name of the plaintiff but they refused, hence, the instant suit.

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2. Defendants were summoned, who appeared through their representative namely Syed Farhat Abbas, who submitted authority letter and written statement.
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. The representative for the defendants stated that he has no objection if the case is decided summarily 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 her name and husband name to the effect that her correct name is **Nazia Bibi** and correct husband name is **Muhammad Salam** while it has been wrongly mentioned as Nazia and husband name as Gul Meer in her CNIC by the defendants, which is wrong, ineffective upon the rights of the plaintiff and liable to correction. Plaintiff in support of her contention produced CNIC copies of her husband and father-

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in-law wherein, correct husband name of the plaintiff is Muhammad Salam, while Gul Meer is father-in-law of the plaintiff. The said document clearly negates the incorporation of her husband name as Gul Meer in her CNIC. Further, there is no countered document available with the defendants to rebut the documents 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 the name and husband name of the plaintiff as **Nazia Bibi** wife of **Muhammad Salam** in their record and in the CNIC of the plaintiff.
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
04.08.2022


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CERTIFICATE

Certified that this judgment consists of **03** (three) pages, each has been checked, corrected where necessary and signed.


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