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Muhammad Ayub Vs NADRA

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

Civil Suit No. 22/1 of 2022  
Date of Original Institution: 14.06.2022  
Date of Transfer in: 28.06.2022  
Date of Decision: 30.08.2022

**Muhammad Ayub son of Muhammad Ali**, Resident of  
Qaum Feroz Khel, Tappa Qeemat Khel, Sungrani, 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:**  
**30.08.2022**

1. Brief facts of the case in hand are that the plaintiff **Muhammad Ayub**, has brought the instant suit for declaration, permanent and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that his correct father name is **Muhammad Ali** while it has been wrongly mentioned as Abdul Wali Khan in his CNIC by the defendants, which is wrong, ineffective upon the rights of the plaintiff and liable to correction. That the defendants were repeatedly asked to correct the father 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. 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 his father name to the effect that his correct father name is **Muhammad Ali** while it has been wrongly mentioned as Abdul Wali Khan in his CNIC by the defendants, which is wrong, ineffective upon the rights of the plaintiff and liable to correction. Plaintiff in support of his contention produced copy his MNIC, according to that the father name of the plaintiff is **Muhammad Ali**. Further the plaintiff produced the copy of his mother CNIC, wherein,


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correct father name of the plaintiff is **Muhammad Ali**. The plaintiff further produced CNIC copy of his step brother namely Asif Khan, wherein the father name is also mentioned as **Muhammad Ali**. The said documents clearly negate the incorporation of his father name as Abdul Wali Khan in his CNIC. Further, there is no countered document available with the defendants to rebut the documents produced by the plaintiff in support of his contention. So, the available record clearly establishes the claim of the plaintiff.

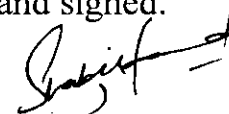
5. Consequently, upon what has been discussed above and the jurisdiction vested in this court under order IX-A and XV-A of CPC, suit of the plaintiff succeeds and is hereby decreed as prayed for. Defendants are directed to correct the father name of the plaintiff as **Muhammad Ali** in their record and 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**  
**30.08.2022**

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

**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