

IN THE COURT OF ZAHIR KHAN
CIVIL JUDGE-I, TEHSIL KALAYA, ORAKZAI

Suit No.....68/1 of 2022.

Date of Institution.....02.07.2022.

Date of Decision.....15.08.2022.

=====

Khyal Maro Bibi W/O Muzafar Khan, Qoum Stori Khel, Tazi Khel, Tehsil Lower, District Orakzai.

.....(*Plaintiff*)

VERSUS

Assistant Director NADRA, District Orakzai.

..... (*Defendant*)

=====
SUIT FOR DECLARATION & PERMANENT INJUNCTION.
=====

SUMMARY JUDGEMENT

15.08.2022

Plaintiff present through counsel. Representative of defendant present. Authority letter and written statement already filed. Representative of defendants stated that per record, there is unnatural age gap between plaintiff and her son namely Shabbir Rehman, therefore, if suit of plaintiff is disposed of through summary judgement, he has got no objection. Arguments heard and record gone through.




ZAHIR KHAN
15/08/2022
Kalaya Orakzai

Brief facts in the backdrop are that plaintiff has filed the instant suit for declaration cum-permanent injunction to the effect

that, true and correct date of birth of plaintiff is **01.01.1975**, however, defendants have incorrectly entered the same as **01.01.1980** which is wrong, illegal and ineffective upon the rights of plaintiff and liable to be rectified. That due to this wrong entry, there is unnatural age of about 13 years between plaintiff and her son namely Shabbir Rehman whose date of birth is 10.05.1993. That defendant was 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.

Representative of defendants stated that there shall be at least 16/17 years' age difference between mother and her son. Per record, date of birth of plaintiff is recorded as 01.01.1980 while date of birth of plaintiff's son namely Shabbir Rehman is recorded as 10.05.1993 resulting into unnatural age gap of about 13 years. Plaintiff is not a government servant. The modification sought by plaintiff will not affect rights of others. Representative of defendants stated that date of birth of plaintiff may be modified as per NADRA SOPs. There is no


15/08/22
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

need of recording evidence of the parties. Defendants are directed to rectify date of birth of plaintiff as **01.01.1975**. Suit of plaintiff is decreed as prayed for. No order as to cost. This 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 its necessary completion and compilation.

ANNOUNCED
15.08.2022



Zahir Khan
Civil Judge-I, Tehsil Kalaya,
District Orakzai