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

Petition No.....17/6 of 2022.

Date of Institution.....16.08.2022.

Dated of Decision.....30.08.2022.

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

.....(Petitioners)

**Versus**

Shameem Bibi W/O Khan Jamil, Qoum Mishti, Darwi Khel, Indara, Tehsil Lower, District Orakzai.

..... (Respondent)

**PETITION FOR SETTING ASIDE EX-PARTE PROCEEDINGS**

**ORDER**  
**30.08.2022**

Representative of petitioners/judgement debtors absent. Counsel for respondent/decree holder namely Mr. Sanaullah Khan Advocate present.

Record received.

Today, the case was fixed for arguments on the point of maintainability of application filed by petitioners/JDs through representative but he is absent. Arguments of learned counsel for respondent/DH heard and record perused.

Brief facts in the backdrop are that plaintiff filed a suit for declaration cum-permanent injunction to the effect that, true and correct

date of birth of plaintiff is 01.01.1983, however, defendants have

incorrectly entered the same as 03.07.1990 which is wrong, illegal and

ineffective upon the rights of plaintiff and liable to be rectified. That due

*JM*

30/08/2022  
**ZAHIR KHAN**  
**Civil Judge/JM**  
**Kalaya Orakzai**

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to this wrong entry, there is unnatural age gap of about 13 years between plaintiff and her son namely Muhammad Tayyab whose date of birth is 02.02.2003.

With due process of law and procedure, the defendants were summoned who appeared before the court through representative and contested the suit by filing authority letter. Family tree of plaintiff was produced which was placed on file and this court through summary judgement dated 25.06.2022, decreed suit of plaintiff (respondent) in her favour against the defendants (petitioners) as prayed for.

This is an application for setting aside ex-parte proceedings while record shows that suit of plaintiff was disposed of through summary judgement dated 25.06.2022, resultantly, the petition in hand is hereby dismissed being not maintainable. No order as to cost.

File along with relevant record be consigned to record room after necessary completion and compilation.

**Announced**  
30.08.2022



**ZAHIR KHAN**  
Civil Judge-I, Kalaya, Orakzai