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**IN THE COURT OF ZAHIR KHAN,  
Civil Judge-I, Tehsil Kalaya, Orakzai.**

Suit No.....201/1 of 2021.  
Date of Original Institution..... 21.12.2021.  
Date of Restoration.....22.08.2022.  
Date of decision.....22.08.2022.  
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Zamin Ali S/O Noroz Ali, Qoum Mani Khel, Tappa Karya Khel, Village Noor  
Ali Garhi, 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 INJUNCTION.**

**SUMMARY JUDGEMENT**

**22.08.2022**

Plaintiff along with counsel present. Representative of defendants present. Vide my separate order of today, ex-parte decree dated 28.07.2022 is set aside. Suit in hand be entered accordingly.

Representative of defendants stated that there is unnatural age gap between plaintiff and his father namely Noroz Ali, therefore, he has got no objection on the summary disposal of the case. Counsel for plaintiff and representative of defendants requested for summary disposal of the suit. Arguments heard and record perused.

*Jur*  
22/08/22

**ZAHIR KHAN  
Civil Judge-I  
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 **14.04.1980**, however, defendants have incorrectly entered the same as **1974** 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 difference of about 14 years between plaintiff and his father namely Noroz Ali whose date of birth as per his CNIC is 01.01.1960. That defendants were 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, defendants were summoned, they appeared through representative. Authority letter and written statement was filed, but later on, representative of defendants remained absent, therefore, placed and proceeded against ex-parte. Suit of plaintiff was ex-parte decreed vide ex-parte order dated 28.07.2022. Today, on acceptance of application for setting aside ex-parte decree, ex-parte decree dated 28.07.2022 is set aside.

Representative of defendants stated that there shall be at least 16/17 years' age difference between son and his father. Per record, date of birth of plaintiff is recorded as 14.04.1980. Date of birth of plaintiff's father namely Noroz Ali is recorded as 1974 resulting into unnatural age gap of about 14 years. Plaintiff is not a government servant. The modification sought by plaintiff will not affect rights of others. Furthermore, school record of plaintiff is placed on file as per which date of birth of plaintiff is recorded as 14.04.1980. Record was produced by CW-01. Representative of defendants

*JM*

22/08/2022

**ZAHIR KHAN**  
Civil Judge/JM  
Kalaya Orakzai

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stated that date of birth of plaintiff may be modified as per NADRA SOPs. There is no need of recording evidence of the parties. Defendants are directed to rectify date of birth of plaintiff as 14.04.1980. 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 necessary completion and compilation.

**Announced**  
22.08.2022



**Zahir Khan**  
Civil Judge-I, Kalaya, Orakzai