

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

Civil Suit No. 112/1 of 2022  
Date of Original Institution: 01.08.2022  
Date of Decision: 09.09.2022

**Muhammad Zahir son of Syed Noor Shah**, Resident of Qaum Mishti, Tapa Haider Khel, Sarla, 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:**  
**09.09.2022**

1. Brief facts of the case in hand are that the plaintiff **Muhammad Zahir**, 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 **Syed Noor Shah**, according to Primary School Record while it has been wrongly mentioned as Khial Noor Shah which in fact is brother of the plaintiff, 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.

*Shabeer Ahmad*  
 Shabeer Ahmad  
 Civil Judge II  
 Orakzai (Kalaya)

11

2. Defendants were summoned, who appeared through their representative, 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.

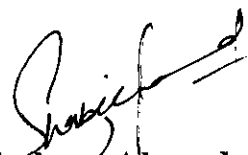
4. Record reveals that plaintiff through instant suit is seeking correction of his father name to the effect that his correct father name is **Syed Noor Shah** while it has been wrongly mentioned as Khial Noor Shah in his CNIC by the defendants, which is wrong, ineffective upon the rights of the plaintiff and liable to correction. Plaintiff in support of his contention produced copy of his Primary School Leaving Certificate issued by GPS Naflo Shadal, District Orakzai,

*Shahid*  
Shahid Ahmed  
Civil Judge  
Orakzai (Malaya)

according to that his father name is **Syed Noor Shah**. The said document clearly negate the incorporation of his father name as Khial Noor Shah 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.

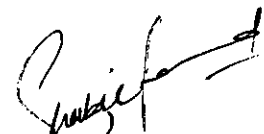
- 5. Consequently, upon what has been discussed above and the jurisdiction vested in this court under order IX-A and XV-A of CPC, suit of the plaintiff succeeds and is hereby decreed as prayed for. Defendants are directed to correct the father name of the plaintiff as **Syed Noor Shah** in their record 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**  
**09.09.2022**

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

**CERTIFICATE**

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

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