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

Suit No.....2/1 Neem.
Date of Original Institution.....03.01.2022.
Date of Present Institution.....06.09.2022.
Date of decision.....19.09.2022.
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1. Nat Bibi D/O Kemya Gul W/O Shoaib Khan,
 2. Muhammad Nawaz,
 3. Gul Nawaz both sons of Shoaib Khan all R/O Qoum Uthman Khel, Tappa Fateh Khan Khel, Miagano Kalay, Tehsil Lower, District Orakzai.
- (Plaintiffs)

Versus

1. Chairman NADRA, Islamabad.
 2. Assistant Manager, NADRA, District Orakzai.
- (Defendants)

SUIT FOR DECLARATION & PERMANENT INJUNCTION.

SUMMARY JUDGEMENT
19.09.2022

Plaintiff No. 3 for himself and attorney for plaintiff No. 1 and 2 along with counsel present. Representative of defendants present. Learned counsel for plaintiff requested for summary disposal of the suit. Representative of defendants stated that per NADRA SOPs, date of birth of a person can be modified/rectified if there is unnatural age gap of 16/17 years between parents and children. Arguments heard and record gone through.

Brief facts in the backdrop are that plaintiffs Nat Bibi etc have filed

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the instant suit for declaration cum-permanent injunction against the defendants Chairman NADRA, Islamabad and one other to the effect that, true

and correct date of birth of plaintiff No. 1 is **01.01.1975**, however, defendants have incorrectly entered the same as **01.01.1988** which is wrong, illegal and ineffective upon the rights of plaintiffs and liable to be rectified. That due to this wrong entry, there is unnatural age difference of about 05 years between plaintiff No. 1 (mother) and plaintiff No. 2 (son) whose date of birth as per CNIC is 01.01.1993. Similarly, due to this wrong entry there is unnatural age difference of about 10 years between plaintiff No. 1 (mother) and plaintiff No. 3 (son) whose date of birth as per CNIC is 01.01.1998. That defendants were asked time and again to rectify date of birth of plaintiff No. 1 but in vain hence, the present suit.

Representative of defendants stated that there shall be at least 16/17 years' age difference between children and their parents. Per record, date of birth of plaintiff is recorded as 01.01.1988 resulting into unnatural age difference of about 05 years between plaintiff No. 1 (mother) and plaintiff No. 2 (son) whose date of birth as per CNIC is 01.01.1993. Similarly, due to this wrong entry there is unnatural age difference of about 10 years between plaintiff No. 1 (mother) and plaintiff No. 3 (son) whose date of birth as per CNIC is 01.01.1998 Plaintiff No. 1 is not a government servant. The modification sought by plaintiffs will not affect rights of others. Representative of defendants stated that date of birth of plaintiffs 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 No. 1 as 01.01.1975.

Suit of plaintiff is decreed as prayed for. No order as to cost. This decree shall


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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
19.09.2022



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