

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

Suit No.....105/1 of 2022.

Date of Institution.....12.10.2022.

Date of Decision.....25.10.2022.

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Shawas Begum W/O Tawid Ali, Qoum Mani Khel, Tappa Mast Ali Khel,
Tehsil Lower, District Orakzai.

.....(*Plaintiff*)

VERSUS

1. Chairman NADRA, Islamabad.
2. Director General NADRA, Khyber Pakhtun Khwa, Peshawar
3. Assistant Director NADRA, District Orakzai.

..... (*Defendants*)

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SUIT FOR DECLARATION & PERMANENT INJUNCTION.

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SUMMARY JUDGEMENT

25.10.2022

Husband of plaintiff namely Tawid Ali along with Mr. Sana

Ullah Khan Advocate present. Special power of attorney on behalf of

plaintiff in favour of Tawid Ali submitted. Representative of

defendants also present. Written statement along with relevant

NADRA record filed which is placed on file. Counsel for plaintiff

requested for summary disposal of the suit. Representative of

defendants stated that per record, there is unnatural age gap between

plaintiff and her son namely Moasir Ali, therefore, if suit of plaintiff



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is disposed of through summary judgement, he has got no objection.

Arguments heard and record gone through.

Brief facts in the backdrop are that plaintiff namely Shawas Begum has filed the instant suit for declaration cum-permanent injunction against the defendants Chairman NADRA, Islamabad and two others to the effect that, true and correct date of birth of plaintiff is **01.01.1985**, however, defendants have incorrectly entered the same as **01.01.1989** which is wrong, illegal and ineffective upon the rights of plaintiff and liable to be rectified. It is further averred that due to this wrong entry, there is unnatural age difference of about 15 years between plaintiff and her son namely Moasir Ali whose date of birth as per Secondary School Certificate is 02.09.2004. 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, the defendants were

summoned, they appeared through representative. Authority letter and written statement along with relevant record of NADRA was filed.

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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 01.01.1989 while date of birth of plaintiff's son namely Moasir Ali is recorded as 02.09.2004 resulting into unnatural age difference of about 15 years between plaintiff and her son named above. 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 need of recording evidence of the parties. Defendants are directed to rectify/modify date of birth of plaintiff as **01.01.1985**. 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
25.10.2022



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