

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

Suit No.....109/1 of 2022.

Date of Institution.....05.11.2022.

Date of Decision.....15.11.2022.

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Basmera Jan W/O Aqal Muhammad, Qaum Uthman Khel, Tappa Branka
Khel, Village Tanda, Tehsil Lower, District Orakzai.

.....(Plaintiff)

VERSUS

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

..... (Defendants)

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SUIT FOR DECLARATION & PERMANENT INJUNCTION.

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SUMMARY JUDGEMENT

15.11.2022

Plaintiff present through counsel. Representative of defendants also present. Written statement and authority letter filed. Counsel for plaintiff requested for summary disposal of the suit on the basis of available record. Representative of defendants stated that there is unnatural age gap of about 11 years between plaintiff and her son namely Niaz Muhammad, therefore, he has got no objection on the summary disposal of the case. Arguments heard and record gone through.

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C. J. I
Kalaya Orakzai

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Brief facts in the backdrop are that plaintiff Basmera Jan 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 **01.01.1969**, however, defendants have incorrectly entered the same as **01.01.1976** 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 gap of about 11 years between plaintiff and her son namely Niaz Muhammad whose date of birth as per CNIC is 01.01.1987. That defendants were asked time and again to rectify date of birth of plaintiff but in vain hence, the present suit.

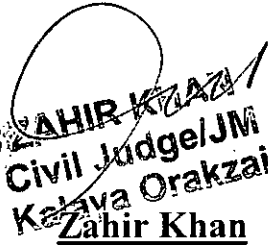
Representative of defendants stated that there shall be at least 16/17 years' age difference between mother and her son. Per record, date of birth of plaintiff is recorded as 01.01.1976. Date of birth of plaintiff's son namely Niaz Muhammad is recorded as 01.01.1987 resulting into unnatural age gap of about 11 years. 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


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rectify date of birth of plaintiff as **01.01.1969**. 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
15.11.2022


Zahir Khan
Civil Judge/JM
Kalaya Orakzai
Civil Judge-I, Tehsil Kalaya,
District Orakzai