

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

Civil Suit No. 2/1 of 2022  
Date of Original Institution: 26.02.2022  
Date of Transfer in: 24.06.2022  
Date of Decision: 04.08.2022

1. **Shahje Rehman son of Jameel Khan**
2. **Waheeda Bibi wife of Asmat Ullah and daughter of Jameel Khan,** both residents of Qaum Mishti, Tappa Darvi Khel, Aaindara, Tehsil Central, District: Orakzai.  
.....(Plaintiffs)

**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:  
04.08.2022**

1. Brief facts of the case in hand are that the plaintiffs, have brought the instant suit for declaration, permanent and mandatory injunction against the defendant, referred hereinabove, seeking declaration therein that correct date of birth of the plaintiff no. 1 is **01.01.1995**, according to Driving License, Passport and Visa and correct date of birth of the plaintiff no. 2 is **01.01.1992** while defendants have wrongly entered the dates of birth of plaintiff no. 1 as 01.01.1996 and plaintiff no. 2 as 01.01.1990 in CNICs of the plaintiffs, which are wrong, ineffective upon the rights of

*Shabeer Ahmad*  
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Civil Judge/JM-II  
Orakzai at (Kalaya)

the plaintiffs and liable to correction. That the defendants were repeatedly asked to correct the dates of birth of plaintiffs but they refused, hence, the instant suit.

2. Defendants were summoned, who appeared through their representative namely Syed Farhat Abbas, 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. The representative for the defendants stated that he has no objection if the case is 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 plaintiffs heard and record gone through.

4. Record reveals that plaintiffs through instant suit are seeking correction of dates of birth to the effect that correct date of birth of plaintiff no.1 is **01.01.1995** and plaintiff no. 2 is **01.01.1992** while it has been wrongly entered as 01.01.1996


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and 01.01.1990 respectively in the CNICs of the plaintiffs by the defendants, which are wrong, ineffective upon the right of the plaintiffs and liable to correction. Plaintiff no. 1 in support of his contention annexed photocopies of Driving License, Passport, Visa and old CNIC wherein, date of birth of plaintiff no. 1 is **01.01.1995**. Plaintiff no. 2 in support of her contention annexed photocopy of her mother CNIC, according to which the date of birth of her mother is 01.01.1975, there is an un-natural gap of 15 years between the plaintiff no. 2 and her mother. The said documents clearly negate the incorporation of dates of birth of plaintiff no. 1 as 01.01.1996 and plaintiff no. 2 as 01.01.1990 in their CNICs. Further, there is no countered document available with the defendants to rebut the documents produced by the plaintiffs in support of their contention. So, the available record clearly establishes the claim of the plaintiffs.

- Shahje*
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 dates of birth of plaintiff no. 1 as **01.01.1995** and plaintiff no. 2 as **01.01.1992** in their record and in the CNICs of the plaintiffs.
  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**  
**04.08.2022**

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

**CERTIFICATE**

Certified that this judgment consists of **04** (Four) pages, each has been checked, corrected where necessary and signed.

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