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

Suit No.....112/1 of 2021.
Date of Original Institution.....08.06.2021.
Date of Restoration.....06.09.2022.
Date of Decision.....12.09.2022.
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1. Imran Khan,
2. Muhammad Saeed both sons of Ghulam Sadeeq R/O Qoum Sheikhan, Tappa Samozai, Dran, Koza Mela, Tehsil Central, District Orakzai.

.....(Plaintiffs)

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

12.09.2022

Plaintiff No. 1 along with counsel present. Representative of defendants present and filed fresh authority letter. Representative of defendants stated that as per available record, there is unnatural age gap between plaintiffs and Mst. Bibi Hawa (mother of plaintiffs as per NADRA record). He also stated that mother's name of plaintiffs may be rectified as per NADRA SOPs and that he has got no objection if suit of plaintiffs is decreed in favour of plaintiffs. Statement of



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representative of defendants separately recorded. Authority letter is Ex. PA. Arguments heard and record gone through.

Brief facts in the backdrop are that plaintiffs Imran Khan and Muhammad Saeed have filed the instant suit against the defendants Chairman NADRA, Islamabad and two others for declaration cum-permanent injunction to the effect that, true and correct name of their mother is **Khalida Bibi**, however, defendants have incorrectly entered name of mother of plaintiffs as **Bibi Hawa** which entry is wrong, illegal and ineffective upon the rights of plaintiffs and liable to be rectified. Plaintiffs have further averred that due to this wrong entry, there is unnatural age difference of about 10 and 13 years between plaintiffs and Bibi Hawa, who is not their real mother rather she is step mother of plaintiffs. That defendants were asked time and again to rectify mother's name of plaintiffs as Khalida Bibi instead of Bibi Hawa but in vain hence, the present suit.

Defendants were summoned, they appeared through representative and contested the suit by filing authority letter and written statement. Later on, defendants remained absent, therefore, they were placed and proceeded against ex-parte and after recording ex-parte evidence of plaintiffs, suit of plaintiffs was ex-parte decreed vide order dated 21.06.2022. Ex-parte decree dated 21.06.2022 was set aside vide order dated 06.09.2022 as counsel for plaintiffs/decree holders expressed no objection. Case was fixed for evidence but today, representative of defendants stated that mother's name of

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plaintiffs is to be rectified as per NADRA SOPs/rules and that there is no need of recording evidence of parties.

Per record, mother's name of plaintiffs is recorded as Bibi Hawa and due to this wrong entry, there is unnatural age difference of about 10 and 13 years between plaintiffs and Bibi Hawa. Copy of CNIC of Bibi Hawa, Death Certificate of Khalida Bibi, copy of CNIC of father of plaintiffs namely Ghulam Sadeeq are placed on file. The modification sought by plaintiffs will not affect rights of others. Representative of defendants stated that mother's name of plaintiffs is to be modified as per NADRA SOPs. There is no need of recording evidence of the parties. Keeping in view the available record and statement of representative of defendants, suit of plaintiffs is decreed as prayed for. No order as to cost. This decree shall not affect rights of others interested, if any.

File be consigned to record room after its necessary completion and compilation.

ANNOUNCED
12.09.2022



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