

IN THE COURT OF BAKHT ZADA,
SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Civil Suit No. 18/1 of 2024.
Date of Institution: 16.04.2024.
Date of Decision: 19.04.2024

*Muhammad Hussain s/o Abdul Janan, R/O Qoum Mamozai, Tappa
Abdur Raheem Khel, Askari Khel, Tehsil Upper, District Orakzai.*
(Plaintiff)

VERSUS

1. *Chairman NADRA, Islamabad.*
2. *Director General NADRA, KPK at Hayat Abad Peshawar.*
3. *Assistant Director NADRA, Orakzai.*

(Defendants)

**SUIT FOR DECLARATION-CUM-PERPETUAL AND
MANDATORY INJUNCTION**

JUDGEMENT:

19.04.2024

1. Plaintiff Muhammad Hussain s/o Abdul Janan has brought the instant suit against defendant chairman NADRA and 01 other for declaration-cum-perpetual and mandatory injunction to the effect that suit No. 46/1 was decided vide judgement and decree dated 30.01.2024 wherein, date and month with the year of birth of plaintiff was not mentioned. According to the plaintiff in his previous suit No. 46/1, he has prayed that his correct date of birth is 1968, but the same has been wrongly entered in his record with the defendants as 1964, which needs rectification. The defendants were summoned who submitted written statement and after recording pro and contra evidence, the suit of the plaintiff was decreed as prayed for, but now the plaintiff has brought the present suit, wherein he prayed that he

J. Zaidi
BAKHT ZADA
Senior Civil Judge/JM
Orakzai at Baber Mela

(22)

has not mentioned his date and month of birth in the previous suit and prayed for addition of date and month of birth. He alleged that the defendants were asked time and again for correction, but they refused to do so, hence, the present suit;

2. Defendants were summoned, who in their written statement admitted that only year of birth is mentioned in the pleadings and as well as in the judgement and decree dated 30.01.2024 passed by this court and now the plaintiff has brought the instant suit for addition of day and month in the record of the defendants. Representative of defendants stated that he has got no objection if the date of birth of the plaintiff is written as 01.01.1968 instead of 1968.

3. Plaintiff through counsel requested for summary disposal of the suit. Representative of defendants stated that date of birth of the plaintiff can be rectified as 01.01.1968 and he has expressed no objection in his written statement. Plaintiff is not a government servant. The modification sought by plaintiff will not affect rights of others. There is no need of recording evidence as admitted facts needs not to be proved by production of evidence. Suit of plaintiff is decreed as prayed for. No order as to cost.

4. File be consigned to the Record Room after its completion and compilation.

Announced
19.04.2024

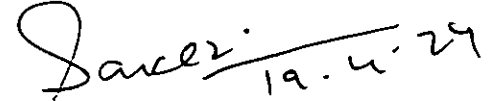
Bakht Zada
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(Bakht Zada)
Senior Civil Judge,
Orakzai at Baber Mela

CERTIFICATE

(23)

Certified that this judgment of mine consists of three (03) pages, each has been checked, corrected where necessary and signed by me.



(Bakht Zada)

Senior Civil Judge,
Orakzai at Baber Mela