

IN THE COURT OF SYED ABBAS BUKHARI,
CIVIL JUDGE-II, TEHSIL COURT, KALAYA, ORAKZAI

Civil Suit No. 18/1 of 2024
Date of Institution: 08.05.2024
Date of Decision: 20.05.2024

1. Lal Sharif S/O Dawran,
2. Mst. Basmeeera Bibi W/O Lal Sharif, both resident of Qoum Sheikhan, Tappa Bazid Khel, Naka Mela, Tehsil Lower District: Orakzai.

.....(Plaintiffs)

VERSUS

Chairman, NADRA, Islamabad.
Director General NADRA, Peshawar.
Assistant Director NADRA Orakzai.

.....(Defendants)

SUIT FOR DECLARATION, PERMANENT AND MANDATORY
INJUNCTION

SUMMARY JUDGEMENT:
20.05.2024

1. Brief facts of the case in hand are that the plaintiffs, have filed the instant suit for declaration, permanent and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that correct dates of birth of the plaintiffs are **01.01.1952**, while defendants have incorrectly entered their date of birth as 01.01.1972 in their record, which are wrong and ineffective upon the rights of the plaintiffs and liable to be corrected. Furthermore, due to said wrong

correct dates of birth of plaintiffs are **01.01.1952** while it has been incorrectly entered as 01.01.1972 in their CNICs by the defendants, which are wrong, ineffective upon the right of the plaintiffs and is liable to be corrected. Plaintiffs in support of their contention produced the copies of CNICs of their daughters namely Mst. Bibi Sultan, (CNIC No. 21601-5717624-2), Mst: Nusrat Khela (CNIC# 21601-8948616-0) and Mst: Tasveera Bibi (CNIC# 21601-2083588-0) wherein their dates of birth are mentioned as 01.01.1970, 01.01.1984 and 01.01.1980 respectively and thus there exist an unnatural gap of 02 years, twelve years and eight years respectively between the age of plaintiffs and their daughters. Furthermore, as per NADAR record Mst: Bibi Sultan, daughter of plaintiffs, is two years older than her parents, which is impossible and against the order of nature.

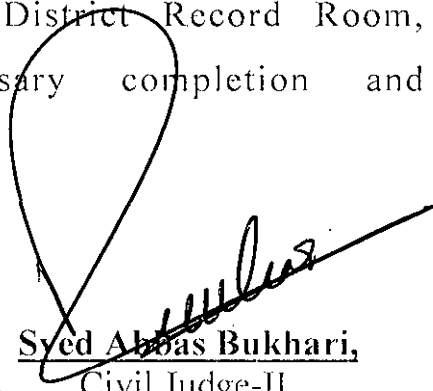
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 Tehsil Courts Kalaya

5. Further, there is no counter document available with the defendants to rebut the document produced by the plaintiffs in support of their contentions. So, the available record clearly establishes the claim of the plaintiffs.
6. 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 plaintiffs succeeds and is hereby decreed as prayed for. Defendants are directed to enter the correct the dates of birth of plaintiffs as **01.01.1952** in their record and in the CNICs of the plaintiffs and thereafter issue fresh CNICs to the plaintiffs with correct date of birth i.e. **01.01.1952**.

- 7. Parties are left to bear their own costs.
- 8. File be consigned to the District Record Room, Orakzai after its necessary completion and compilation.

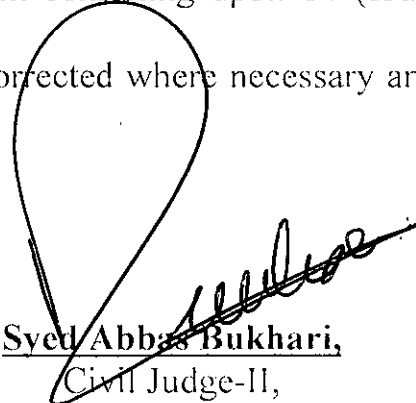
Announced
20.05.2024



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CERTIFICATE

Certified that this judgment consisting upon **04** (four) pages, each has been checked, corrected where necessary and signed.



Syed Abbas Bukhari,
Civil Judge-II,
Tehsil Courts, Kalaya, Orakzai