

IN THE COURT OF BAKHT ZADA,

SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Civil Suit No. 32/1 of 2024.
Date of Original Institution: 04.05.2024.
Date of Transfer In: 21.05.2024.
Date of Decision: 24.05.2024.

*Saif Ullah Khan S/O Bakhtan Shah R/O Qaum Rabia Khel,
Tappa Ayaz Khel, Village Ghoz Garh, Tehsil Upper, District
Orakzai.*

(Plaintiff)

VERSUS

*Assistant Director NADRA, Orakzai**(Defendant)***SUIT FOR DECLARATION-CUM-PERPETUAL AND
MANDATORY INJUNCTION****SUMMARY JUDGEMENT:**

24.05.2024

1. Plaintiff Saif Ullah Khan has brought the instant suit against Assistant Director, NADRA, Orakzai for declaration-cum-perpetual and mandatory injunction to the effect that correct date of birth of the plaintiff according to his MNIC is 01.01.1957 which has been wrongly entered in his record with the defendant/CNIC as 14.01.1978. That due to said wrong entry, there is unnatural age gap of about 01 year between the birth of the plaintiff and his daughter namely Aqal Mina. That there is also unnatural age gap of about 09 years between the plaintiff and his son namely Khwaja Muhammad Khan. He alleged that the defendant was asked time and again for correction of date of birth of the plaintiff, but the defendant refused to do so, hence, the present suit;

Bakht Zada
BAKHT ZADA
Senior Civil Judge, JM
Orakzai at Baber Mela

2. Defendant was summoned, who submitted the authority letter and contested the suit by filing written statement.

21
3. Plaintiff through counsel requested for summary disposal of the suit. Representative of defendant stated that as per NADRA SOPs, date of birth of a person can be modified/rectified if there is unnatural age gap of 16/17 years between parents and children. Per record, there is an unnatural gap of 01 and 09 year between the date of birth of plaintiff with their children namely Aqal Mina and Khwaja Muhammad Khan. The modification sought by plaintiff will not affect rights of any third person. There is no need of recording evidence of the parties. The correct date of birth of the plaintiff is clear from his MNIC which is 01.01.1957 and if such correction is made, the same will not affect the right of any other person and in case of denial, the same will affect the carrier of the children of the plaintiff adversely and will create problems and complications for them in future. There is no hurdle in correction of the date of birth of the plaintiff as prayed for, therefore, no need to produce evidence. Suit of plaintiff is decreed as prayed for. No order as to cost.

Case file be consigned to the record room after its completion and compilation.

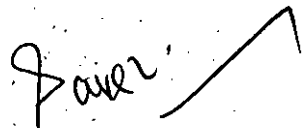
Announced
24.05.2024

Fazal
24.5.24
(Bakht Zada)
Senior Civil Judge,
Orakzai at Baber Mela

CERTIFICATE

22

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