

IN THE COURT OF SYED ABBAS BUKHARI,
Civil Judge-II, Tehsil Court, Kalaya, Orakzai.

Suit No.....8/1 of 2024

Date of Institution.....16.03.2024

Date of decision.....08.05.2024

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Diltaj Ali S/O Piyo Ali, resident of Qom Bar Muhammad Khel, Tappa Terai, Sulaiman Khel, Tehsil Lower, District Orakzai.

.....(Plaintiff)

Versus

1. Board of Intermediate & Secondary Education Kohat
2. Chairman Board of Intermediate & Secondary Education Kohat.....(Defendants)

SUIT FOR DECLARATION & PERMANENT INJUNCTION.

Ex-parte Order/Judgment
08.05.2024

Plaintiff along with counsel present. Defendants have already been placed and proceeded ex-parte. Ex-parte arguments already heard and record perused.

Brief facts in the backdrop are that plaintiff has filed the instant suit against the defendants for declaration and permanent injunction to the effect that correct date of birth of the plaintiff is **20.12.1992**, according to admission & withdrawal register and CNIC, but defendants have wrongly and incorrectly entered the date of birth of the plaintiff as 20.12.1991 in their record, which is wrong, illegal and ineffective upon the rights of plaintiff and liable to be rectified. That defendants were asked time and again to rectify plaintiff date of birth as **20.12.1992**, but in vain hence, the present suit.

Tehsil Court Kalaya
SYED ABBAS BUKHARI
CIVIL JUDGE-II



With due process of law and procedure, defendants were served properly, but they did not appear, therefore, placed and proceeded against ex-parte.

After submission of list of witnesses, plaintiff was allowed to produce his ex-parte evidence. Plaintiff produced two (02) witness in support of his claim. Thereafter, ex-parte evidence of plaintiff was closed.

Wajid Ali S/O Hayat Ali, SDM GHS Suleiman Khel, appeared as PW-01. He produced copy of his CNIC which is Ex. PW-1/1. He further produced Admission and Withdrawal Register of primary section of GPS Suleiman Khel, Orakzai, wherein the date of birth of plaintiff is correctly mentioned as 20.12.1992 on serial no. 233 and enrolled on 14.04.1997 in class 1st, which is exhibited as Ex. PW-1/2. Original seen and returned.

Diltaj Ali, the plaintiff himself appeared and deposed as PW-02. He produced his copy of CNIC which is Ex. PW-2/1, wherein his correct date of birth is mentioned as 20.12.1992. He stated that his date of birth according to Admission & Withdrawal Register is 20.12.1992, which is already exhibited as Ex. PW-1/2. He further stated that defendants have entered the date of birth in Secondary School Certificate and DMC as 20.12.1991, which is wrong and incorrect. He produced the copy of Matric Certificate which is Ex. PW-2/3. He lastly requested for decree of the suit.

Claim and contention of plaintiff is that correct date of birth of the plaintiff is **20.12.1992**, but defendants have incorrectly

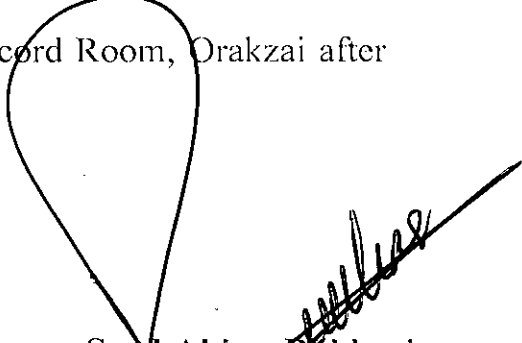
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Tehsil Courts Kalya
JUDGE
AS BUKHARI
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entered the date of birth as 20.12.1991; which is wrong, illegal and in effective upon the rights of plaintiff and liable to be rectified.

There is nothing in rebuttal due to ex-parte while plaintiff produced cogent, convincing and reliable documentary as well as oral evidence in support of his claim. The plaintiff in his support produced the Admission & Withdrawal Register and copy of CNIC, wherein clearly shows the date of birth of the plaintiff is **20.12.1992**, therefore, suit of plaintiff is hereby ex-parte decreed as prayed for. No order as to cost. This decree shall not affect service record of plaintiff, if any.

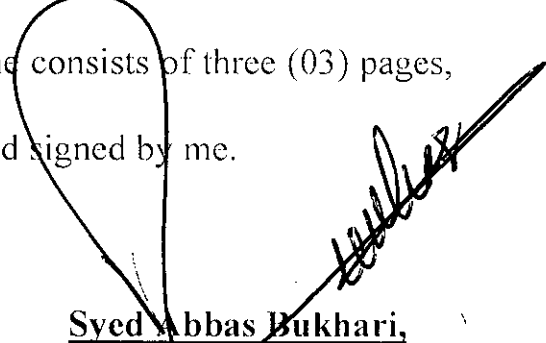
File be consigned to District Record Room, Orakzai after necessary completion and compilation.

Announced
08.05.2024


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

CERTIFICATE

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


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