

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

Suit No.....35/1 of 2024.

Date of Institution.....12.08.2024.

Date of Decision.....12.08.2024.

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Muhammad Sheharyar S/O Nikmal Hussain R/O Qaum Mani Khel, Tappa
Mirwas Khel, Tehsil Lower, District Orakzai.

.....(*through father*)

VERSUS

1. Assistant Director NADRA, District Orakzai.
2. Director General NADRA, KPK.
3. Chairman NADRA, Pakistan Islamabad.

..... (*Defendants*)

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SUIT FOR DECLARATION & PERMANENT INJUNCTION.

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SUMMARY JUDGMENT

12.08.2024

Zahir Khan
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai
12/08/2024

Special attorney for plaintiff along with counsel present. Legal representative of defendants present. Copy of plaint delivered. Authority letter and written submitted. Counsel for plaintiff requested for summary disposal of the case on the basis of available record. Representative of defendants conceded the same. Arguments heard and record perused.

Brief facts in the backdrop are that plaintiff has filed the instant suit for declaration cum-permanent injunction to the effect that his true and correct date of birth as per school record is 05.07.2014,

however, defendants have incorrectly entered the same as 26.12.2013 which is wrong, illegal and ineffective upon the rights of plaintiff and liable to be rectified. That due to this wrong entry, there is unnatural age difference of about 06 months between plaintiff and his elder brother namely Tauqeer Haider, whose date of birth, as per school record, is 05.07.2013. That defendants were asked time and again to rectify/modify date of birth of plaintiff but in vain hence, the present suit.

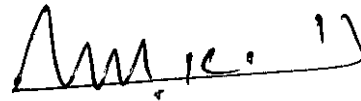
Representative of defendants stated that there shall be at least one year's age difference between the siblings. Per record, date of birth of plaintiff is recorded as 26.12.2013 and date of birth of his elder brother namely Tauqeer Haider is recorded as 05.07.2013 which is resulting into unnatural age gap of about 06 months between plaintiff and his elder brother named above. Date of birth of plaintiff is recorded as 05.07.2014 in the school record. Original school certificate produced and returned after examination. Copies of school certificates of plaintiff and his brother Tauqeer Haider are placed on file. Plaintiff is a young person and could not be presumed to have instituted the case for any ulterior motive. The modification sought by plaintiff will not affect rights of others. There is no need of recording evidence of the parties. Defendants are directed to rectify date of birth of plaintiff as **05.07.2014**. Suit of plaintiff is decreed in favor of plaintiff as prayed for. No order as to cost. This decree shall

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not affect rights of others interested, if any. This decree shall not affect service record of plaintiff, if any.

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

ANNOUNCED
12.08.2024



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