

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

Civil Suit No. 33/1 of 2024  
Date of Institution: 22.07.2024  
Date of Decision: 29.07.2024

**Mst. Zareefa Jan wife of Muhammad Jehan**, resident of Qom Mishti, Tappa Mamizai, village Sarkoti, District Orakzai.

.....(Plaintiff)

**VERSUS**

**Chairman, NADRA, Islamabad.**  
**Director General NADRA, Hayat Abad, Peshawar.**  
**Assistant Director NADRA Orakzai.**

.....(Defendants)

**SUIT FOR DECLARATION, PERMANENT AND MANDATORY  
INJUNCTION**

**SUMMARY JUDGEMENT:**  
**29.07.2024**

1. Brief facts of the case in hand are that the plaintiff, has filed the instant suit for declaration, permanent and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that correct date of birth of the plaintiff is **01.01.1962**, while defendants have incorrectly entered the same as 12.05.1973 in their record which is wrong and ineffective upon the rights of the plaintiff and liable to correction. That the defendants were repeatedly asked

to correct the date of birth of plaintiff but they refused, hence, the instant suit.

2. Today representative for defendants appeared before the court and submitted written statement, which is placed on file.

3. During the scheduling conference within the meaning of order IX-A of CPC, it was revealed that the matter involved in the instant case is very petty in nature,

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Signature: *[Signature]*  
Stamp: SYED ABAS BIKRI  
Civil Judge, Kelehera Tehsil  
29-07-2024

which can be decided through summary judgement as per relevant record, while recording lengthy evidence,

as the primary aim and objective of Amended

Management Rules in CPC is, "to enable the court to-

- a. Deal with the cases justly and fairly;
- b. Encourage parties to alternate dispute resolution procedure if it considers appropriate;
- c. Save expense and time both of courts and litigants; and
- d. Enforce compliance with provisions of this Code."

Learned counsel for plaintiff heard and record gone through.

4. Record reveals that plaintiff through instant suit is seeking correction of date of birth to the effect that correct date of birth of plaintiff is **01.01.1962**, while it has been incorrectly entered as 12.05.1973 in the CNIC of the plaintiff by the defendants, which is wrong, ineffective upon the rights of the plaintiff and liable to correction. Plaintiff in support of her

contention produced the copies of CNICs of her son namely Muhammad Shaheed and daughter namely Mazlaf Jana bearing CNICs No. 21601-4658329-5 and 21601-8658652-4, wherein the dates of birth of her son and daughter are mentioned as 1984 & 01.01.1983 and according to which there exist unnatural gaps of eleven and ten years between the ages of plaintiff with her son and daughter, which is impossible and against the order of nature. The said documents clearly negate the incorporation of date of birth of plaintiff as 12.05.1973. Further, there is no countered document available with the defendants to rebut the document produced by the plaintiff in support of her contention. So, the available record clearly establish the claim of the plaintiff.

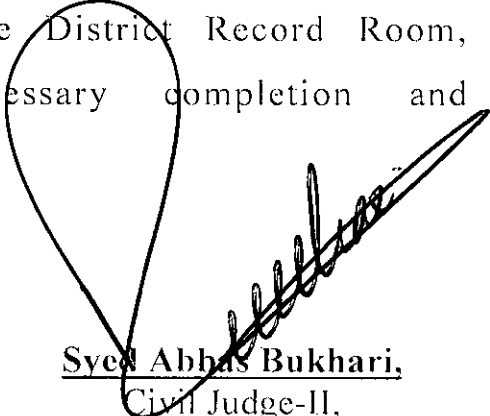
SYED HASAN BUKHARI  
Civil Judge (I) / J-1  
Tahsil Courts Kalya

29-07-2017

4. 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 plaintiff succeeds and is hereby decreed as prayed for. Defendants are directed to correct the date of birth of plaintiff as **01.01.1962** in their record and in the CNIC of the plaintiff.
5. Parties are left to bear their own costs.

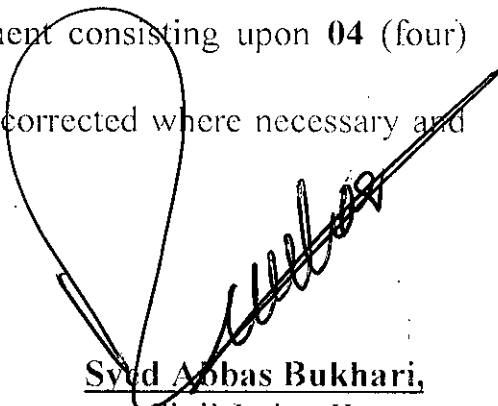
6. File be consigned to the District Record Room, Orakzai after its necessary completion and compilation.

Announced  
29.07.2024

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

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