

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

Civil Suit No. 37/1 of 2024
Date of Institution: 01.08.2024
Date of Decision: 19.08.2024

Lal Mat sher s/o Mir Hassan Sher resident of
Qoum Mishti, Tappa , Meer Ghara, Tehsil
Central, District: Orakzai.**Plaintiffs**

VERSUS

1. **Chairman, NADRA, Islamabad.**
 2. **Director General NADRA Hayatabad Peshawar**
 3. **Assistant Director, NADRA District Orakzai.**
- **Defendants**


SYED ABBAS BUKHARI
Civil Judge/Jud-II
Tehsil Courts Kalaya

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

SUMMARY JUDGEMENT:
19.08.2024

1. It is suit from plaintiff against defendants for declaration and perpetual injunction to the effect that defendants plaintiff is entitled to restoration of his initial CNIC bearing no. 14101-9927597-7 and thus defendants may kindly be directed to cancel subsequent CNIC of plaintiff and restore his prior/initial CNIC.
2. Brief facts of the case are that plaintiff has alleged in his plaint that he initially defendants issued him CNIC bearing no. 14101-9927597-7 and after expiry of said CNIC plaintiff applied for renewal of the same. However instead of renewal of the initial CNIC,


defendants issued fresh CNIC to plaintiff bearing no. 21601-0263818-7. Plaintiff applied for cancellation of his subsequent CNIC but the defendants instead of cancelling subsequent CNIC of plaintiff, cancelled his initial CNIC and thus due to this act of defendants monthly pension of plaintiff was stopped. In this regard defendants were time and again requested that restore the initial CNIC of plaintiff and further to cancel his subsequent one but they exercised delaying tactics and finally refused to do the same, hence the instant suit has been filed.


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3. After institution of suit defendants were summoned and accordingly defendants appeared through their representative and submitted their written statement with factual and legal objections raised therein.
4. In given circumstances perusal of the written statement submitted by defendants would reveal that defendants have not denied the issuance of two CNICs to plaintiff. Furthermore, they have alleged that plaintiff himself applied for cancellation of his prior/initial CNIC and further plaintiff has also submitted an affidavit to this effect. It is also pertinent to mention here that no such affidavit has been annexed with the written statement by defendants in

support of their stance. It is also worth mentioning here that NADRA is the sole competent authority to issue CNICs to the citizens of Pakistan and thus issuance of two CNICs with different nos. shows the negligence on the part of defendants. Furthermore issuance of two CNICs to one and same person is also against the rules and SOPs of NADRA. It is also pertinent to mention here that plaintiff has also annexed record pertaining to his pension and perusal of the same would reveal that it contain CNIC# of plaintiff as 14101-9927597-7 i.e. the number of initial CNIC of plaintiff. It is also necessary to mention here that due to negligence on the part of defendants and issuance of subsequent CNIC with different number, the pension of plaintiff has also been stopped and thus plaintiff was confronted with monetary loss as well as mental stress.

5. In given circumstances, this court is of the view that there is no need to record pro and contra evidence in the instant case rather same would be a futile exercise and would amount to wastage of precious time of this court as well as parties to the suit, for the reason that issuance of two CNICs with different numbers to


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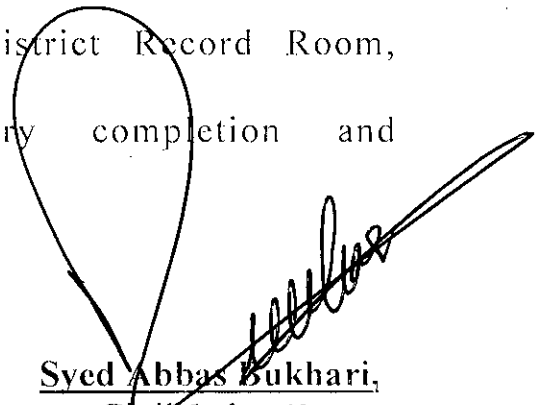
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plaintiff and further cancellation of his prior CNIC has been admitted by defendants in their written statement.

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 plaintiff succeeds and is hereby summarily decreed in favour of plaintiff for the relief as prayed for and defendants are hereby directed to restore the initial CNIC of plaintiff bearing no. 14101-9927597-7 and further cancel his subsequent CNIC bearing no. 21601-0263818-7. Parties are left to bear their own costs.

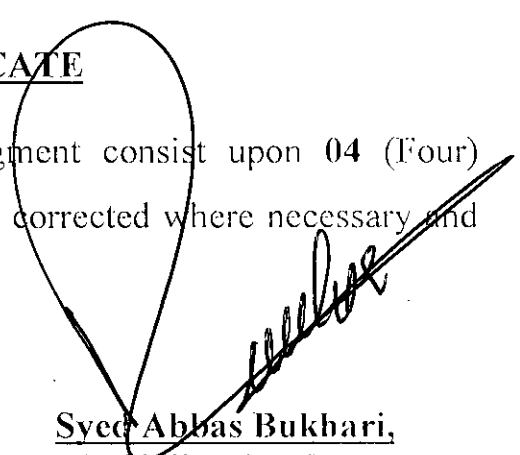
File be consigned to the District Record Room, Orakzai after its necessary completion and compilation.

Announced
19.08.2024


Syed Abbas Bukhari,
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CERTIFICATE

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


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