

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

Civil Suit No. 55/1 of 2024  
Date of Institution: 16.09.2024  
Date of Decision: 30.09.2024

**MST. ILAM ULLAH JAN WIFE OF GUL HASSAN,**  
**RESIDENT OF QOM SEPOY, TAPPA LAKHKARI**  
**KHEL, NAKA MELA, OTI, DISTRICT ORAKZAI.**  
**.....(PLAINTIFF)**

**VERSUS**

1. **CHAIRMAN, NADRA, ISLAMABAD.**
2. **DIRECTOR GENERAL NADRA, HAYAT ABAD,**  
**PESHAWAR.**
3. **ASSISTANT DIRECTOR NADRA ORAKZAI.**  
**.....(DEFENDANTS)**

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

**SUMMARY JUDGEMENT:**

**30.09.2024**

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 **01.01.1980**, while defendants have incorrectly entered the same as **05.02.1992** in their record which is wrong and ineffective upon the rights of the plaintiff and liable to correction. Furthermore, due to wrong entry there exist unnatural gap of about ten years between the ages of plaintiff and her son. That the defendants were

*Ilam Ullah Jan*  
1538-87-204  
Civil Judge II  
Tehsil Courts Kalaya


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, 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 **01.01.1980**, while it has been incorrectly entered as 05.02.1992 in the CNIC of the plaintiff by the defendants, which is wrong, ineffective upon the rights of the plaintiff and

  
MST. ILAM ULLAH JAN  
30 CIVIL JUDGE  
Jehsil Courts Kataya

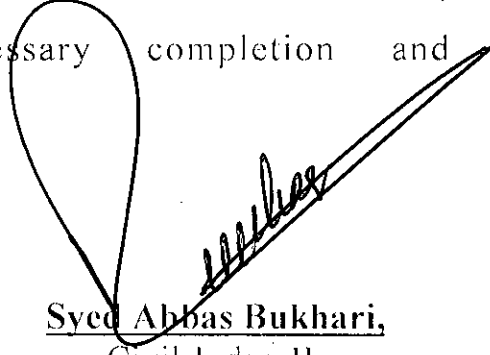
liable to correction. Plaintiff in support of her contention produced the copy of CNIC of her son namely Asad Ul Abbas son of Gul Hassan bearing CNIC No. 21603-3305314-9, wherein the date of birth of her son is mentioned as 15.09.2001 and there exist unnatural gaps of about ten years between the ages of plaintiff and her son, which is impossible and against the order of nature. The said document clearly negate the incorporation of date of birth of plaintiff as 01.01.1991. 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.

  
Gul Hassan  
30 Tehsil Courts Katsaya

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 **01.01.1980** in their record and in the CNIC of the plaintiff.
5. Parties are left to bear their own costs.

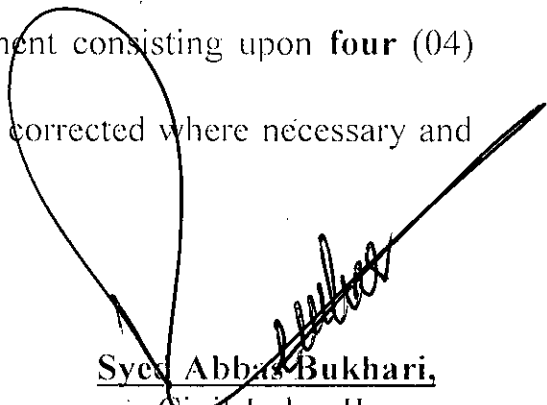
6. File be consigned to the District Record Room, Orakzai after its necessary completion and compilation.

Announced  
30.09.2024

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

CERTIFICATE

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

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