

**IN THE COURT OF BAKHT ZADA,**  
**SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA**

Civil Suit No. 89/1 of 2024  
Date of Institution: 29.07.2024  
Date of Decision: 26.09.2024

*Khadija Bibi D/O Musafar Khan, R/O Qaum Rabia Khel, Tappa  
Behram Khel, Village Saifal Dara, Tehsil Ismail Zai, District Orakzai  
(Plaintiff)*

**VERSUS**

1. Chairman Nadra, Islamabad
2. Registrar Nadra, Islamabad
3. Managing Director, Nadra Office, Peshawar, KPK
4. District Officer Nadra, Orakzai

*(Defendant)*

**SUIT FOR DECLARATION-CUM-PERPETUAL AND  
MANDATORY INJUNCTION**

**JUDGEMENT:**

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1. Plaintiff Khadija Bibi has brought the instant suit against defendants Chairman Nadra, Islamabad and 03 others for declaration-cum-perpetual and mandatory injunction to the effect that correct name of her father is Musafar Khan and correct name of her mother is Eid Bar

Jana, but the same have been wrongly entered in her record with the defendants as Janas Khan and Lal Kheema. She alleged that the defendants were asked time and again to do the needful, but they refused to do so, hence, she filed the instant suit for correction;

2. Defendants were summoned, who appeared before the court through their representative and contested the suit of the plaintiff by filing authority letter and written statement.

Divergent pleadings of the parties were reduced into the following

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issues;

**Issues:**

1. *Whether the plaintiff has got cause of action?*
  2. *Whether the correct name of father of the plaintiff is Musafar Khan and mother name of the plaintiff is Eid Bar Jana, while the defendants have wrongly entered the same as Janas Khan and Lal Kheema?*
  3. *Whether plaintiff is entitled to the decree as prayed for?*
  4. *Relief?*
3. Parties were given opportunity to produce evidence in support of their respective claims. The plaintiff produced and recorded the statements of following PWs;
4. **PW-01:** Mst. Eid Bar Jana, mother of plaintiff appeared as PW-01 and repeated the averments of plaint. Copy of her CNIC is Ex. PW-1/1.
  5. **PW-02,** is the statement of the Musafar Khan. He supported the stance of the plaintiff by repeating the whole story as briefly describe in the plaint. He requested for decree of suit as prayed for. Copy of his CNIC is Ex. PW-2/1.
  6. **PW-03,** is the statement of Khadija Bibi, plaintiff herself appeared as PW-03. She repeated the contents of her plaint and requested for decree of the suit in her favour as prayed for. Copy of her CNIC is Ex. PW-3/1.
  7. **PW-04,** is the statement of Fazal Akbar, brother of plaintiff appeared as PW-04. He also supported the stance of plaintiff. Copy of his CNIC is Ex. PW-4/1.
  8. On the other hand, representative for NADRA, Irfan Hussain recorded his statement as DW-01. He produced family tree which is Ex.

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DW-1/1.

9. After closing of evidence of the parties, arguments of the learned counsel for the parties were heard and available record perused.

My Issue wise findings are as under: -

**Issue No. 02:**

10. Plaintiff has alleged in her plaint that correct name of her father is Musafar Khan and correct name of her mother is Eid Bar Jana, but the same have been wrongly entered in her record with the defendants as Janas Khan and Lal Kheema

11. In order to prove her stance, the plaintiff has produced and recorded the statements of her real parents as PW-01 (mother of plaintiff) & PW-02 (father of plaintiff) and PW-04 (brother of the plaintiff), who have affirmed that the real father name of the plaintiff is Musafar Khan and correct name of her mother is Eid Bar Jana instead of Janas Khan and Lal Kheema. According to Nadra SOPs for such correction the plaintiff is required to produce her parents/brother for biometric verification by the defendants. DW-01 in his cross examination also stated that as per Nadra SOPs, names of parents can be corrected by verification through biometric, therefore, the plaintiff is directed to produce her parents/brother for biometric verification and get the desired correction in her record. Issue is decided accordingly in favour of the plaintiff.

**Issue No. 01 & 03:**

Both these issues are interlinked, hence, taken together for simultaneous discussion.

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12. As sequel to my findings on issue No. 02, the plaintiff has proved through cogent evidence that correct father name of plaintiff is Musafar Khan instead of Janas Khan and correct mother name of plaintiff is Eid Bar Jana instead of Lal Kheema. Issues No. 01 & 03 are decided in positive.

**RELIEF:**

13. As sequel to my above issue-wise findings, the plaintiff has produced evidence regarding the correction of her parentage in her record with the defendants, but according to Nadra SOPs such correction can also be made by producing her parents/brother etc before the defendants for their biometric verification, where after the desired correction be made. Decree granted accordingly in favour of the plaintiff against the defendants. No order as to cost.


14. Case file be consigned to the Record Room after its completion and compilation.

**Announced**  
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**CERTIFICATE**

Certified that this judgement of mine consists of four (04) pages, each has been checked, corrected where necessary and signed by me.

  
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