

IN THE COURT OF MUHAMMAD JUNAID ALAM,
CIVIL JUDGE-II, TEHSIL COURT, KALAYA, ORAKZAI

Civil Suit No. 64/1 of 2024
Date of Institution: 12.10.2024
Date of Decision: 21.10.2024

1. MEER NAQI JAN SON OF MUHAMMAD NABI AND
2. MST. NOOR MEENA JAN WIFE OF MEER NAQI
JAN, BOTH RESIDENTS OF QOM BAR
MUHAMMAD KHEL, TAPPA MERAZI KHEL,
KHARKAI, TEHSIL LOWER DISTRICT
ORAKZAI

.....(PLAINTIFFS)

VERSUS

1. CHAIRMAN NADRA, ISLAMABAD
2. DIRECTOR GENERAL NADRA, HAYATABAD,
PESHAWAR
3. ASSISTANT DIRECTOR NADRA ORAKZAI


.....(DEFENDANTS)

SUIT FOR DECLARATION, PERMANENT AND MANDATORY
INJUNCTION

SUMMARY JUDGEMENT:

21.10.2024

1. Brief facts of the case in hand are that the plaintiffs, have filed the instant suit for declaration, permanent and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that correct dates of birth of the plaintiff no. 01 & plaintiff no. 02 are **01.01.1950** and **01.01.1952** respectively while defendants have incorrectly entered the dates of birth of plaintiff no. 01 and plaintiffs no. 02 as 01.01.1968 and 01.01.1960 respectively, in their record which is wrong and ineffective upon the rights of the plaintiffs and liable to correction. Furthermore,


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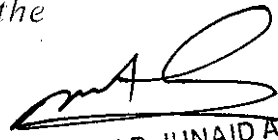
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due to said wrong entries there exists an un-natural gap of five and thirteen years between the ages of plaintiffs and their son namely Jamal Naqi. That the defendants were repeatedly asked to correct the dates of birth of plaintiffs but they refused, hence, the instant suit.

2. Today representative for defendants appeared before the court and submitted authority letter and written statement, which are 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, without recording lengthy evidence. As the primary aim and objective of Amended Management Rules in CPC is, *"to enable the court to-*

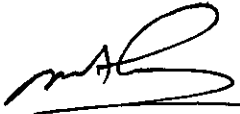
- a. *Deal with the cases justly and fairly;*
- b. *Encourage parties to alternate dispute resolution procedure if it considers appropriate;*
- c. *Save expense and time both of courts and litigants; and*
- d. *Enforce compliance with provisions of this Code."*

Learned counsel for plaintiffs heard and record gone through. Notice of summary trial of the instant case was given to defendants through their representative.


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4. Record reveals that plaintiff through instant suit is seeking correction of dates of birth to the effect that correct dates of birth of the plaintiff no. 01 & plaintiff no. 02 are **01.01.1950** and **01.01.1952** respectively while defendants have incorrectly entered the dates of birth of plaintiff no. 01 and plaintiffs no. 02 as 01.01.1968 and 01.01.1960 in their record by the defendants, which are wrong, ineffective upon the right of the plaintiffs and liable to correction. Plaintiffs in support of their contention produced the copy of CNIC of their son Jamal Naqi bearing CNIC No. 90406-0127641-5 wherein the date of birth is mentioned as 1973 which shows there exists un-natural gaps of five and thirteen years between the ages of plaintiffs and their son, which is impossible and against the order of nature. The said document clearly negates the existing incorporation of dates of birth of plaintiffs as 01.01.1968 & 01.01.1960 respectively. Further, there is no countered document available with the defendants to rebut the document produced by the plaintiffs in support of their contention. So, the available record clearly establishes the claim of the plaintiffs.
4. Consequently, upon what has been discussed above and the jurisdiction vested in this court under order



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IX-A and XV-A of CPC, suit of the plaintiffs succeeds and is hereby decreed as prayed for. Defendants are directed to enter the correct dates of birth of plaintiff no. 01 & 02 as **01.01.1950** and **01.01.1952** in their record and issue fresh CNICs to the plaintiffs. This decree shall not effect the rights of other(s) or service record if any.

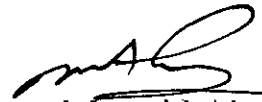
5. Parties are left to bear their own costs.
6. File be consigned to the District Record Room, Orakzai after its necessary completion and compilation.

Announced
21.10.2024


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CERTIFICATE

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


Muhammad Junaid Alam,
Civil Judge-II,
Tehsil Courts, Kalaya, Orakzai