

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

Civil Suit No. 70/1 of 2024  
Date of Institution: 14.10.2024  
Date of Decision: 28.10.2024

1. JAMAN SHAH SON OF ZAR BADSHAH AND
2. MST. ZARI MAR JAN, BOTH RESIDENTS OF QAUM SHEIKHAN, TAPPA UMAR ZAI, LAK KANRREY, TEHSIL & DISTRICT ORAKZAI.

.....(PLAINTIFFS)

VERSUS

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

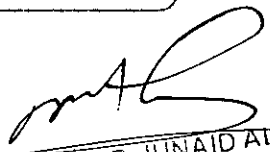
.....(DEFENDANTS)

SUIT FOR DECLARATION, PERMANENT AND MANDATORY  
INJUNCTION

**SUMMARY JUDGEMENT:**

28.10.2024

1. Brief facts of the case in hand are that the plaintiffs have filed the instant suit for declaration-cum-permanent and mandatory injunction against the defendants, referred hereinabove, seeking declaration therein that correct date of birth of both the plaintiff no. 01 & plaintiff no. 02 is 01.01.1952 while defendants have incorrectly entered the dates of birth of plaintiff no. 01 and plaintiffs no. 02 as 01.01.1957 and 01.01.1960 respectively, in their record which is wrong and ineffective upon the rights of the plaintiffs

  
MUHAMMAD JUNAID ALAM  
Civil Judge / JM-II  
Orakzai at Kalaya  
28-10-2024

Jaman Shah etc Vs NADRA

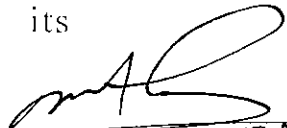
and liable to correction. Furthermore, due to said wrong entries there exists an un-natural gap of thirteen and ten years between the ages of plaintiffs and their son namely Khayal Noor Shah bearing CNIC No. 21601-0255851-9. That the defendants were repeatedly asked to correct the dates of birth of plaintiffs but they refused, hence, the instant suit.

2. Today representative for defendants appeared before the court and submitted written statement, which is placed on file. Notice of summary trial of the instant case was issued to the defendants through its representative.

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 of very petty 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-*

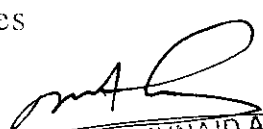
- a. *Deal with the cases justly and fairly;*
- b. *Encourage parties to alternate dispute resolution procedure if it considers appropriate;*
- c. *Save expense and time both of courts and litigants; and*
- d. *Enforce compliance with provisions of this Code."*

Learned counsel for plaintiffs heard and record gone through.

  
 MUHAMMAD JUNAID ALAM  
 Civil Judge / JM-II  
 Orakzai at Kalaya  
 28-10-2024

Jaman Shah etc Vs NADRA

4. Record reveals that plaintiffs through instant suit is seeking correction of dates of birth to the effect that correct date of birth of both the plaintiff no. 01 & plaintiff no. 02 is **01.01.1952** while defendants have incorrectly entered the dates of birth of plaintiff no. 01 and plaintiffs no. 02 as 01.01.1957 and 01.01.1960 in their record by the defendants, which is wrong, ineffective upon the rights of the plaintiffs and liable to correction. Plaintiffs in support of their contention produced the copy of CNIC of their son Khayal Noor Shah bearing CNIC No. 21601-0258851-9 wherein the date of birth is mentioned as 1970 which shows there exists un-natural gaps of thirteen and ten 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 01.01.1957 & 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 IX-A and XV-A of CPC, suit of the plaintiffs succeeds

  
MUHAMMAD JUNAID ALAM  
Civil Judge / JM-II  
Orakzai at Kalaya

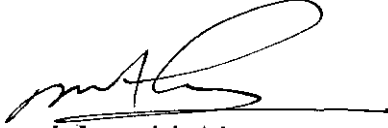
28-10-2024

14  
Jaman Shah etc Vs NADRA

and is hereby decreed as prayed for. Defendants are directed to enter the correct date of birth of both the plaintiffs as **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**  
28.10.2024

  
**Muhammad Junaid Alam,**  
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.

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