

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

Suit No.....110/1 of 2024.

Date of Institution.....07.12.2024.

Date of Decision.....23.12.2024.

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Muhammad Roban Shah son of Naimat Shah, resident of Qom Bezot,
Tappa Mir Kulli Khel, Tehsil Lower, District Orakzai.

.....(Plaintiff)

VERSUS

Chairman NADRA Islamabad
Director General NADRA Hayat Abad, Peshawar
Assistant Director NADRA, District Orakzai.

.....(Defendants)

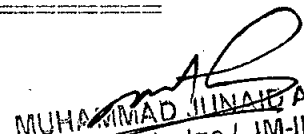
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SUIT FOR DECLARATION & PERMANENT INJUNCTION.

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SUMMARY JUDGEMENT

23.12.2024

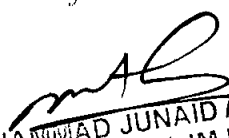

MUHAMMAD JUNAID ALAM
Civil Judge / JM-II
Orakzai at Kalaya

23-12-2024

1. 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 **01.01.2001** according to matriculation, while defendants have incorrectly entered the same as 01.01.1991 in their record which is wrong and ineffective upon the right of the plaintiff and liable to correction. That defendants were asked time and again to rectify date of birth of plaintiff but in vain hence, the present suit.
2. 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. Notice of summary trial of the instant case was issued to the defendants through its representative. 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."



MUHAMMAD JUNAID ALAM
Civil Judge / JM-II
Quakrai at Kalaya
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3. 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 **01.01.2001** while it has been incorrectly entered as 01.01.1991 in the CNIC of the plaintiff by the defendants, which is wrong, ineffective upon the right of the plaintiff and liable to correction. Plaintiff in support of his contention produced the copy of Detailed Marks Certificate of 10th Class, wherein the date of birth of plaintiff is apparently mentioned as 01.01.2001. The said document clearly negates the incorporation of date of birth of plaintiff as 01.01.1991 in his CNIC.
5. Further, there is no countered document available with the defendants to rebut the document produced by the plaintiff in support of his contention. So, the available record clearly establishes the claim of the plaintiff.
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 decreed as prayed for. Defendants are directed to correct the date of birth of plaintiff as **01.01.2001** in their record and in the CNIC of the plaintiff and issue fresh CNIC with new date of birth. This decree shall not effect the rights of other(s) or service record if any.

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


Announced
23.12.2024


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

CERTIFICATE

Certified that this judgment consisting upon **three** (03) pages, each has been checked, corrected where necessary and signed.

Dated: **23.12.2024**


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