

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

Suit No.....81/1 of 2024.
Date of Institution.....23.10.2024.
Date of Decision.....16.12.2024.

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Mst. Sabar Mina Wd/O Din Badshah, Qoum Othman Khel, Tappa Branka
Khel, Tehsil Lower, District Orakzai.

.....(Plaintiff)

VERSUS

1. Chairman NADRA, Islamabad.
2. Director General NADRA, Khyber Pakhtun Khwa, Peshawar
3. Assistant Director NADRA, District Orakzai.

.....(Defendants)

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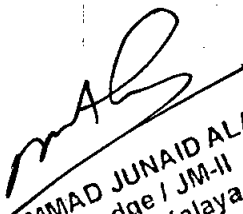
SUIT FOR DECLARATION & PERMANENT INJUNCTION.

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SUMMARY JUDGEMENT

16.12.2024

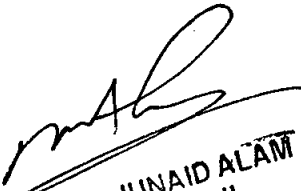
Son of plaintiff along with counsel present. Representative of
defendants also present. He submitted written statement along with
relevant NADRA record of plaintiff. Counsel for plaintiff requested
for summary disposal of the suit. Representative of defendants stated
that per record, there is unnatural age gap of 06 years between
plaintiff and her son namely Khasa Dar Khan, therefore, if suit of
plaintiff is disposed of through summary judgement, he has got no
objection. Arguments heard and record gone through.


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Brief facts in the backdrop are that plaintiff namely Sabar Mina has filed the instant suit for declaration cum-permanent injunction against the defendants Chairman NADRA, Islamabad and two others to the effect that, true and correct date of birth of plaintiff is 1964, however, defendants have incorrectly entered the same as 01.01.1976 which is wrong, illegal and ineffective upon the rights of plaintiff and liable to be rectified. It is further averred that due to this wrong entry, there is unnatural age difference of about 06 years between plaintiff and her son namely Khasa Dar Khan whose date of birth is 1982. That defendants were asked time and again to rectify date of birth of plaintiff but in vain hence, the present suit.

With due process of law and procedure, the defendants were summoned, they appeared through representative. Authority letter and written statement along with relevant NADRA record of plaintiff was filed.

Representative of defendants stated that there shall be at least 16/17 years' age difference between mother and her son. Per record, date of birth of plaintiff is recorded as 01.01.1976 while date of birth of plaintiff's son namely Khasa Dar Khan is recorded as 1982


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resulting into unnatural age difference of about 06 years between plaintiff and her son named above. Plaintiff is not a government servant. The modification sought by plaintiff will not affect rights of others. Representative of defendants stated that date of birth of plaintiff may be modified as per NADRA SOPs. There is no need of recording evidence of the parties. Defendants are directed to rectify/modify date of birth of plaintiff as 1964. Suit of plaintiff is decreed as prayed for. No order as to cost. This decree shall not affect rights of others interested, if any. This decree shall not affect service record of plaintiff, if any.

File be consigned to record room after its necessary completion and compilation.

ANNOUNCED

16.12.2024



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