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**IN THE COURT OF IJAZ MAHSOOD, SENIOR CIVIL JUDGE,
ORAKZAI AT BABER MELA**

Suit No.....118/1 of 2024.

Date of Institution.....29.11.2024.

Date of Decision.....30.01.2025.

=====

**Sayed Zamir s/o Qadar Shah, R/O Qoum Ali Khel,
Tapp Panjam, Ramdan, Tehsil Upper, District Orakzai.**

.....(*Plaintiff*)

Versus

1. Chairman BISE Kohat
2. Controller of Examination BISE Kohat.

..... (*Defendants*)

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SUIT FOR DECLARATION & PERMANENT INJUNCTION
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JUDGMENT

30.01.2025

This judgment decides instant case filed by Mr. Sayed Zamir for correction of his date of birth in his record as maintained by the defendants.

Pleadings:

The claim as related in the plaint reads that correct date of birth of the plaintiff is 12.03.1984 while the defendants have erroneously recorded the same as 01.05.1984. It is further alleged that when defendants were requested to rectify the mistake ^{ex} ~~tr~~-judicially, they declined, hence the suit.

Senior Civil Judge
Orakzai Baber Mela
3 JAN 2025

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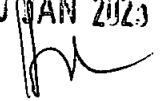
Defendants were summoned who appeared through their legal advisor Shaheen Muhammad advocate, who submitted written statement.

During the scheduling conference within the meaning of order IX-A of CPC, it was revealed that the matter involved in the instant case involves simple adjudication, which can be decided through summary judgement as per relevant and admitted record.

To this effect notice was given to the parties that why not the case in hand be decided on the basis of available 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 plaintiff and legal advisor for the defendants heard and record gone through.

Senior Civil Judge
Orakzai at Paber Mela
30 JAN 2023


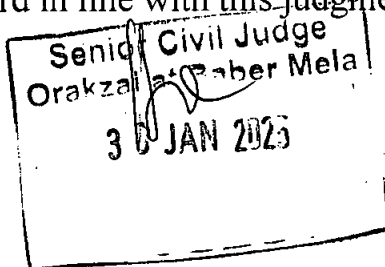
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Record reveals that date of birth of the plaintiff according to CNIC and Service record is 12.03.1984, but the defendants have wrongly recorded the same as 01.05.1984.

In this regard, certified copy of page of service book duly attested by DEO Orakzai clearly negates the date of birth i.e 01.05.1984 as maintained by defendants. A government employee wants to bring his academic record in line with his CNIC and service record hints at his Bonafide.

Unnatural gap, when established on the face of record does not require further proof. In the situation at hand, the best solution, if not a good one, is to grant the prayer, so as to remove future complications.


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. Correct date of birth of the plaintiff is declared as recorded in his service record and CNIC i.e. 12.03.1984. Defendants are advised to bring their record in line with this judgment. Costs shall follow.



(18) re + 9

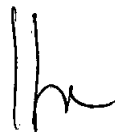
File be consigned to record room after its necessary completion and compilation.

ANNOUNCED
30.01.2025


(Ijaz Mahsood)
Senior Civil Judge,
Orakzai (at Baber Mela)

CERTIFICATE

It is certified that this judgment consists of 04 pages. Each page has been dictated, read, corrected and signed by me.


(Ijaz Mahsood)
Senior Civil Judge,
Orakzai (at Baber Mela)