

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT, ABBOTTABAD.

Service Appeal No.3418/2021

Date of Institution ... 10.02.2021
Date of Decision ... 16.06.2022

Mehboob Elahi S/O Chiria Khan R/O Khaan Khurd, Mouza Bakot,
presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and
District Abbottabad.

... (Appellant)

VERSUS

DFO Forest Abbottabad and another.

... (Respondents)

Tahir Faraz Abbasi,
Advocate

... For appellant

Muhammad Adeel Butt,
Additional Advocate General.

... For respondents.

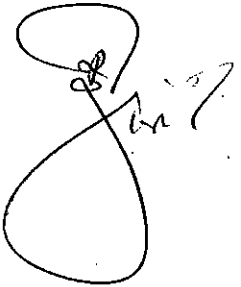
Rozina Rehman
Fareeha Paul

... Member (J)
... Member (E)

JUDGMENT

ROZINA REHMAN, MEMBER (J): The appellant has invoked the
jurisdiction of this Tribunal through above titled appeal with the prayer
as copied below:

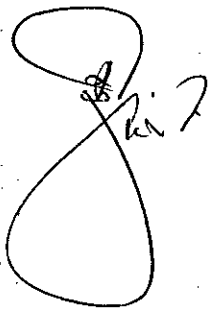
**"By acceptance of the instant appeal verbal direction for
institution of civil suit by respondents is against the facts and without
any fault of appellant, may graciously be set aside and name of the
appellant in pension book and date of birth mentioned in the identity
card issued by the respondent No.2 may graciously be set aside and
by accepting this appeal the correction of the name in pension book
and correction of date of birth in NADRA record may graciously be
ordered against respondent No.1".**



2. Brief facts of the case are that appellant was employee of Forest Department and he retired as Forester. He applied for correction of his name and date of birth in the Pension Book but instead of rectification, his pension was stopped by the respondents while correction in the CNIC was allowed to the extent of his name. He submitted different applications for rectification of record but to no avail and was verbally directed to file a Civil Suit. He, therefore, filed a Civil Suit which was dismissed for want of jurisdiction. Appeal was filed and the order of Civil Court was modified by the appellate court with direction to return plaint to the appellant for presenting before a proper forum. Feeling aggrieved, he filed revision petition before the Hon'ble Peshawar High Court, however, the same was withdrawn with the permission of court, hence, the present service appeal.

3. We have heard Tahir Faraz Abbasi, Advocate learned counsel for the appellant and Muhammad Adeel Butt, learned Additional Advocate General for respondents and have gone through the record and the proceedings of the case in minute particulars.

4. Tahir Faraz Abbasi Advocate, learned counsel for the appellant argued inter alia that verbal order of the respondents for institution of civil suit for correction of name and date of birth is illegal and against law and facts and is liable to be set aside. He submitted that the appellant was not treated in accordance with law and rules as he was a civil servant and was serving in Forest Department and was retired from the same Department; that name of the appellant was corrected by respondents however they wrongly maintained the date of birth in their record. He, therefore requested for correction of the record.




5. Conversely, learned AAG submitted that appellant was appointed in the Forest Department in the name of Muhammad Mehboob son of Chiria Khan and consequently retired during 1991. He submitted that during the entire service, appellant never applied for the purpose and after retirement, the same is beyond the jurisdiction of respondent No.1.

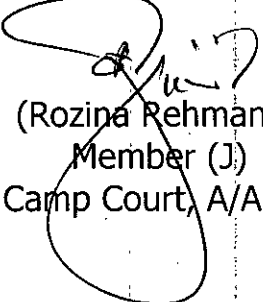
6. From the record it is evident that appellant was appointed as Forester who got retired from the Forest Department on 01.11.1991. Pension payment order is available on file which shows his name as Muhammad Mehboob and his date of birth has been mentioned as 10.06.1942 whereas his CNIC Number has been recorded as 121-44-059948. After retirement, he filed a civil suit for correction of his name and date of birth but his plaint was rejected. He filed appeal and vide order dated 01.10.2020 of learned Additional District Judge-II, Abbottabad, the order of learned Civil Judge was modified and he was directed to return the plaint instead of dismissal of suit on the question of jurisdiction. Accordingly, plaint was returned. Feeling aggrieved he filed revision petition in the august Peshawar High Court, Peshawar and vide order dated 25.01.2021 of the august Peshawar High Court, Peshawar his petition was dismissed being not pressed and was allowed to file appeal before Khyber Pakhtunkhwa Service Tribunal for correction of his name and date of birth. The appellant served the Department for a long period and during entire service, he never applied for correction of his name as well as his date of birth. His date of birth has been mentioned in the service record as 10.06.1942, however his CNIC bearing No. 121-44-059948 goes against him.



7. After hearing the arguments at length, learned counsel for appellant requested for rectification of record to the extent of his name, therefore, in view of entire record coupled with the revenue record and in order to save the offsprings of the appellant from future hardships, this appeal is allowed to the extent of rectification of his name as Mehboob Elahi. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
16.06.2022


(Faraha Paul)
Member (E)
Camp Court, A/Abad


(Rozina Rehman)
Member (J)
Camp Court, A/Abad


ORDER
16.06.2022

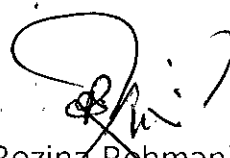
Appellant present through counsel.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present. Arguments heard and record perused.

Vide our judgment of today of this Tribunal placed on file, this appeal is allowed to the extent of rectification of the name of appellant as Mehboob Elahi. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
16.06.2022



(Fajeeha Paul)
Member (E)
Camp Court, A/Abad


(Rozina Rehman)
Member (J)
Camp Court, A/Abad

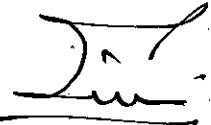
18.04.2022

Clerk of learned counsel for the appellant present. Mr. Amanullah, SDFO alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Clerk of learned counsel for the appellant sought adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Abbottabad Bench. Adjourned. To come up for rejoinder, if any, as well as arguments on 16.06.2022 before the D.B at Camp Court Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court Abbottabad



(Salah-ud-Din)
Member (J)
Camp Court Abbottabad

30.11.2021

Clerk of counsel for the appellant and Mr. Muhammad Riaz Khan Painsdakhel, AAG alongwith Shakeel Ahmad, SDFO for respondent No. 1 and Manzoor Hussain, UDC for respondent No. 2 present.

Written reply/comments of the respondents are still awaited. Last opportunity is granted to the respondents for submission of written reply/comments. In case the respondents fail to submit reply on next date, their defence shall be deemed as struck off. Case to come up on 17.01.2022 before S.B at camp court, Abbottabad.



Chairman
Camp Court, A/Abad

17.01.2022

Learned counsel for the deceased appellant present. Mr. Amanullah Khan, SDFO on behalf respondent No. 1 and Mr. Farooq Khan, Statistical Assistant on behalf of respondent No. 2 alongwith Mr. Kabirullah Khattak, Additional Advocate General present.

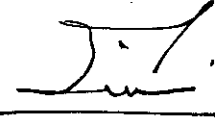
Written replies on behalf of respondents submitted, which are placed on file.

Learned counsel for the appellant submitted list of legal heirs of the deceased appellant, which is also placed on file. Office is directed to make necessary entries in this respect in the memo of appeal as well as relevant record accordingly. Adjourned. To come up for rejoinder, if any, as well arguments on 18.04.2022 before the D.B at Camp Court Abbottabad.


(Salah-ud-Din)
Member (J)
Camp Court A/Abad

14.10.2021

Learned counsel for the appellant present and sought time for preliminary hearing. Adjourned. To come up for preliminary hearing before the S.B on 15.10.2021 at Camp Court Abbottabad.



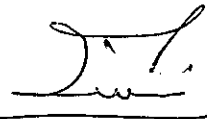
(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

15.10.2021

Mr. Tahir Faraz Abbasi, Advocate, for the appellant present. Preliminary arguments heard.

Points raised during preliminary arguments need consideration, therefore, the appeal is admitted for regular hearing subject to all legal objections including the question of limitation. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments on 30.11.2021 before the S.B at Camp Court Abbottabad.

Appellant Deposited
Security & Process Fee



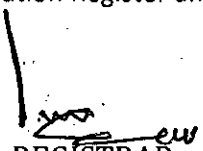

(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 3418 /2021

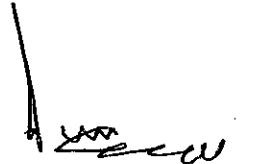
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/03/2021	<p>The appeal of Mr. Mehboob Elahi resubmitted today by Mr. Tahir Faraz Abbasi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>18.06.2021</u></p> <p style="text-align: right;"> CHAIRMAN</p>
18.06.2021		<p>Due to COVID-19, tour to Abbottabad has been cancelled, therefore, case to come for the same as before on 14.10.2021.</p> <p style="text-align: right;">Reader</p>

The appeal of Mr. Mehboob Elahi son of Chiria Khan of District A. Abad received today i.e. on 10/02/2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Annexures of the appeal may be attested.
- 3- Appeal has not been flagged/ marked annexures' marks.
- ④ Copy of departmental is not attached with the appeal which may be placed on it.
- ⑤ Copy of service book is not attached with the appeal which may be placed on it.
- 6- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 7- Four more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 314 /S.T,

Dt. 10-2- /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Tahir Faraz Abbasi Adv.
High Court Abbottabad.


Sir,

All objection has been removed except serial No 5
for the reason that service Book is with the department
and ^{not} provided to petitioner as per his version.

objections No. 4 & 5 still stand. The appeal is
again returned to the counsel for the appellant for
completion & re-submission within 15 days.

no 386 /S.T

dt. 23/02 /2021


23/2/2021
Registrar

PTO

Sir,

objections removed as copy of Application
appeals attached with as Annexure "A" and
Service Books is with department's office of
Conservator Abbotabad.

Sd/-
9/3/2021

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BEFORE THE WORTHY CHAIRMAN SERVICE TRIBUNAL KPK,
PESHAWAR

Service Appeal No. _____/2021

Mehboob Elahi

..... Appellant

Versus

DFO Forest Abbottabad and one another

..... Respondents

SERVICE APPEAL

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Appellant

Through

Dated: 03/02/2021


TAHIR FARAZ ABBASI

Advocate Supreme Court of Pakistan

①

BEFORE THE WORTHY CHAIRMAN SERVICE TRIBUNAL KPK,
PESHAWAR

3418
Service Appeal No. _____/2021

Mehboob Elahi s/o Chiria Khan r/o Khaan Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad.

..... Appellant

**Khyber Pakhtunkhwa
Service Tribunal**

Versus

Diary No. 2574

Dated 10/2/2021

1. DFO Forest Abbottabad
2. District Officer Nadra Abbottabad

..... Respondents

SERVICE APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT, 1974 AS REPRESENTATION/APPLICATION WAS SUBMITTED BEFORE DFO FOREST DEPARTMENT ABBOTTABAD AND BEFORE DISTRICT IN-CHARGE OFFICER NADRA ABBOTTABAD AGAINST THE ENTRIES OF WRONG NAME OF THE APPELLANT MADE IN THE PENSION BOOK BY THE RESPONDENT NO. 1 AND ENTRIES OF WRONG DATE OF BIRTH BY RESPONDENT NO. 2 ARE BASELESS, AGAINST LAW AND FACTS AND WITHOUT GIVING OPPORTUNITY OF PERSONAL HEARING IS TOTALLY ILLEGAL AND AGAINST THE LAW AND FACTS.

Filed to-day

Registrar

10/2/2021

**Re-submitted to -day
and filed.**

Registrar

10/3/2021

PRAYER: BY ACCEPTANCE OF THE INSTANT APPEAL VERBAL DIRECTION FOR INSTITUTION OF CIVIL SUIT BY RESPONDENTS IS AGAINST THE FACTS AND WITHOUT ANY FAULT OF APPELLANT, MAY GRACIOUSLY BE SET ASIDE AND NAME OF THE PETITIONER IN PENSION BOOK AND DATE OF BIRTH MENTIONED IN IDENTITY CARD ISSUED BY THE RESPONDENT NO. 2 MAY GRACIOUSLY BE SET ASIDE AND BY ACCEPTING THIS APPEAL THE CORRECTION OF THE NAME IN PENSION BOOK AND CORRECTION OF DATE OF BIRTH IN NADRA RECORD MAY GRACIOUSLY BE ORDERED TO BE CORRECTED AND RELEASE OF PENSION BE ORDERED AGAINST RESPONDENT NO. 1

Per Muhammad Humayon Khan, J

Master and servant---

---Contractual employment--- Petitioner invoked Constitutional jurisdiction of High Court against respondent Corporation for getting his contractual employment regularized--- Validity--- Petitioner had no fundamental or legal right to claim employment in the service of respondent Corporation---Employment of petitioner was governed by principle of master and servant and not in accordance with any statute or rules made thereunder---Constitutional petition on the basis of agreement/contract arrived between petitioner and respondent Corporation was misconceived and not maintainable---Respondent Corporation was not Federation of Pakistan and it was impleaded only to confer jurisdiction on High Court--- Respondent Corporation did not enjoy status of a statutory Corporation established and controlled by Federation nor performing any of the sovereign functions of State so as to be declared as a body corporate performing functions in connection with the affairs of Federation---Constitutional petition was dismissed in circumstances. [paras. 12 & 14 of the judgment]

Pakistan Telecommunication Co. Ltd. Through Chairman v. Iqbal Nasir and others PLD 2011 SC 132; Habib Bank Ltd. v. The State 2013 SCMR 840 and Abdul Wahab and others v. HBL and others (2013 SCMR 1383 ref.

Salahuddin and 2 others v. Frontier Sugar Mills and Distillery Ltd., Tokht Bhai and 10 others PLD 1975 SC 244; Noor Jehan Shah v. Pakistan Defence Officers Housing Authority through its Administrator 1997 MLD 2261; Maqsood Ahmed Toor and 4 others v. Federation of Pakistan through the Secretary to the Government of Pakistan, Ministry of Housing and Works, Islamabad and others 2000 SCMR 928 and Muhammad Masood Butt and 3 others v. S.M. Corporation (Pvt.) Ltd. and 5 others PLD 2011 Kar: 177 rel.

Shewak Ram Valecha for Petitioner.

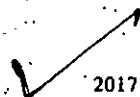
Syed Vizarat Hussain Zaidi for Respondents Nos. 1 to 4.

Mian Mumtaz Rabbani, DAG for Respondent No. 5.

Date of hearing: 23rd August, 2016.

MH/C-150/Sindh

Petition dismissed



2017 P L C (C.S.) Note 104

[Lahore High Court (Rawalpindi Bench)]

Before Mujahid Mustaqeem Ahmed, J

BOARD OF INTERMEDIATE AND SECONDARY
EDUCATION, RAWALPINDI through Chairman

versus

NADIA TASKEEN

Civil Revision No. 814-D of 2016, decided on 22nd December, 2016.

Full text of the judgment can be viewed at www.pakistanlawsite.com

(a) *Specific Relief Act (I of 1877)---*

---S. 42---Suit for declaration---Seeking correction of name and parentage in the educational testimonials---Territorial jurisdiction---Contention of plaintiff (civil servant) was that wrong name and parentage stood incorporated in her Matriculation certificate and school record---Suit was dismissed by the Trial Court but Appellate Court decreed the same---Validity---Plaintiff had only prayed for correction of wrong entry of her name and parentage---Plaintiff had established that wrong entries existed in the record---Authorities were bound to rectify the same when brought into the notice---Impugned judgment had been passed in accordance with law which did not suffer from misreading and non-reading of evidence---Plaintiff had option to file suit either at the place where office of the Authority was located or where cause of action had wholly or partly arisen---Trial Court had jurisdiction to adjudicate the present suit in circumstances. [paras. 10, 13 & 14 of the judgment]

(b) *Civil Procedure Code (V of 1908)---*

---S. 15---Revision---Limitation---When the party failed to explain delay of each and every day, condonation was not allowed. [para. 11 of the judgment]

Muhammad Rafiq v. The Board of Intermediate and Secondary Education and others 1983 SCMR 1024 and Board of Intermediate and Secondary Education, Lahore through Secretary v. Miss Ghazala Roohi 2002 MLD 1966 distinguished.

CHAPTER AL-AHZAAB (Surah 33) Verses Nos. 4 and 5 of the Holy Quran; Al-Quran-ul-Karim English Translation by Abdullah Yusuf Ali; Chairman Board of Intermediate and Secondary Education and 2 others v. Muhammad Umair 2016 YLR 2435; Board of Intermediate and Secondary Education Lahore v. Mst. Ambreen Ashraf 2008 YLR 2388; Board of Intermediate and Secondary Education Sargodha v. Mst. Surriya Andleeb and another 2009 MLD 1252; Board of Intermediate and Secondary Education v. Shahid Javed Shaheen 2006 YLR 687; Hafeez Ahmad and others v. Civil Judge, Lahore and others PLD 2012 SC 400 and Khushi Muhammad v. Mst. Fazal Bibi PLD 2016 SC 872 rel.

(c) *Punjab Civil Servants (Appointment and Conditions of Service) Rules, 1974---*

---R. 21-A (3)---Alteration in date of birth of civil servant---Scope---Date of birth once recorded at the time of joining government service should be final and thereafter no alteration in the same was permissible. [para. 11 of the judgment]

Ali Azhar Khan Baloch and others v. Province of Sindh and others 2015 SCMR 456 rel.

(d) *Limitation---*

---Condonation of delay---Requirement---Delay of each and every day had to be explained. [para. 14 of the judgment]

Mohammad Siddique Awan for Petitioner with Shamshad Ali Assistant BISE.

Tariq Mehmood Butt for Respondent.

ZC/B-2/L

Revision dismissed.

PLC

Full text of the judgment can be viewed at www.pakistanlawsite.com

2

Respectfully Sheweth;

Brief facts giving rise to instant appeal are:

1. That the appellant was employee of forest department and retired as Forester. Copy of pension book is annexed with.
2. That appellant applied for correction of the name in the pension book as Mehboob Elahi instead of Muhammad Mehboob and correction of date of birth in identity card by the respondents.
3. That instead of correction of the name in the pension book respondent no. 1/forest department stopped the pension and respondent no. 2 made correction in the ID card, however wrongly being maintained the date of birth in the ID card.
4. That appellant submitted applications to defendants for correction of name and date of birth respectively but instead of making decision/order appellant was verbally directed to institute a civil suit and on their direction civil suit was instituted.
5. That civil court has dismissed the suit on the ground of having no jurisdiction being a service matter against which appeal was preferred and appellate court modified the order of the civil court with the direction to return the plaint to the appellant for presenting in a proper forum for redressal of his grievances.
6. That being aggrieved of both the judgments of lower courts, petitioner preferred a revision petition before the Honorable Peshawar High Court and after arguing the case at great length the view of the court was that Service Tribunal has jurisdiction in the matter, hence with the permission of the court to file appeal before the KPK Service Tribunal for correction of his name and date of birth submitting appeal before this Honorable Court. Copy of order of Honorable High Court is annexed with.
7. That all the documents are already annexed with the plaint which was returned and same is also annexed with this appeal.
8. That all the documents have already been annexed with the plaint which was returned and same is also annexed with this appeal.
9. That being aggrieved by the verbal order of the respondents, appellant is constrained to submit appeal before this Honorable Tribunal inter alia on the following grounds:

GROUND

- a. That verbal order of the respondents for institution of civil suit for correction of name and date of birth is quite illegal, against the law and facts and also against the

rules service which are not maintainable and is liable to be set aside.

- b. That it is admitted fact that appellant was government servant and serving in forest department and was retired from the same department the name of appellant was corrected by the respondent no. 2, however wrongly maintained the date of birth in its record.
- c. That in the revenue record also name of appellant as Mehboob Elahi is correct.
- d. That entries in the record of the respondent for name and date of birth are wrong which requires correction by this Honorable Court.

In view of the above facts it is requested that the name of the appellant Mehboob Elahi instead of Muhammad Mehboob in the record of respondent no.1 be corrected while correction in the date of birth in the record of respondent no. 2 may graciously be ordered and entries may be set aside made in the record of respondents respectively and order to respondent no.1 for release of pension.



APPELLANT MEHBOOB ELAHI

Through

Dated: 03/02/2021



TAHIR FARAZ ABBASI
Advocate Supreme Court of Pakistan

VERIFICATION:

Verified on oath that the contents of the instant appeal are true and correct to the best my knowledge and belief and nothing has been concealed from this Honorable Court.



Appellant

4

BEFORE THE WORTHY CHAIRMAN SERVICE TRIBUNAL KPK,
PESHAWAR

Service Appeal No. _____/2021

Mehboob Elahi s/o Chiria Khan r/o Khaan Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad.

..... Appellant

Versus

1. DFO Forest Abbottabad
2. District Officer Nadra Abbottabad

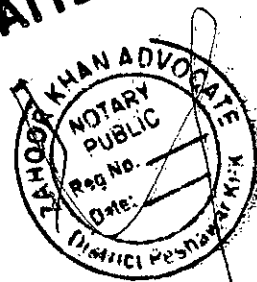
..... Respondents

SERVICE APPEAL

AFFIDAVIT

I, Mehboob Elahi s/o Chiria Khan r/o Khaan Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad do hereby solemnly affirm and declare on oath that the contents of the instant appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honorable Court.

ATTESTED




DEPONENT

5

BEFORE THE WORTHY CHAIRMAN SERVICE TRIBUNAL KPK,
PESHAWAR

Service Appeal No. _____/2021

Mehboob Elahi s/o Chiria Khan r/o Khaan Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad.

..... Appellant

Versus

1. DFO Forest Abbottabad
2. District Officer Nadra Abbottabad

..... Respondents

SERVICE APPEAL

APPLICATION FOR SUSPENSION OF IMPUGNED ENTRIES IN THE RECORD OF THE RESPONDENTS TILL THE DECISION OF THIS APPEAL

Respectfully Sheweth;

1. That the above titled appeal is filed before this Honorable Court and this application may be considered as integral part of this appeal.
2. That appellant has a prima facie case and balance of convenience also lies in favor of the appellant and due to wrong entries in the record of the respondents the appellant shall suffer irreparable loss.

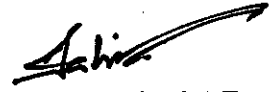
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It is therefore very humbly requested that till decision of the instant appeal impugned entries in the record of the respondents be suspended.


Appellant

Through

Dated: 03/02/2021



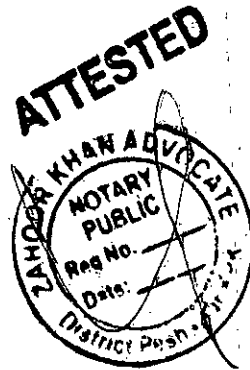
TAHIR FARAZ ABBASI

Advocate Supreme Court of Pakistan

AFFIDAVIT:

I, Mehboob Elahi s/o Chiria Khan r/o Khaan Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad do hereby solemnly affirm and declare on oath that the contents of the instant Application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honorable Court.


DEPONENT



مفتوح جناب ڈی، الف، اور صاحب فیکہ جنڈلات ریپبلک آباد
درخواست بابت یقین نام فرجوب سے محبوب الہی
صوبہ ضابطہ پتہ دربار سے .

ضابطہ

انہیں من سائل شدت فارسل فیکہ جنڈلات سے پیشہ روزیہ
اور فیکہ جنڈلات میں نام فرجوب درج ہے . جبکہ فیکہ مال میں
محبوب الہی درج تھا . لہذا مجبوری من سائل کو اپنا نام محبوب الہی درج کرانا
پڑا . اور اب من سائل کا نام قومی شتانی درج ہر محبوب الہی درج
ہے . لہذا انہیں من سائل فیکہ مذکور میں من سائل کا نام محبوب الہی
صوبہ ضابطہ درج کیا جاوے . من سائل صاحب ضابطہ پتہ دی سی گجو

الموافق 10/18/29

ریپبلک

13101-4843787-7

سائل محبوب الہی عدہ چٹریان
سندھ کن خورد حال بندہ بینک 20 بندہ پھولڑیاں
ریپبلک آباد

فون 03025634716

EC

offo
29/18



National Bank of Pakistan

MAIN BRANCH ABBOTTABAD 0301

BR/PENSION/ 18-P-1

Dated: 24/10/2018

The District Comptroller of Account
Account office,
Abbottabad.

**LAST PAYMENT CERTIFICATE AND RETURN OF BOTH
HALVES OF PPO NO 7902-H/NWFP MR MEHBOOB
ELLAHI.**

Dear sir,

Reference to your letter No.DAO/TRY/PEPN/Revision

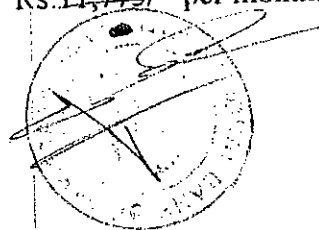
We Have already sent to you the both halves of Disburser, portion of above named pensioner for your further necessary action.
Serial no 119 & ledger no 10.

We also confirm that pension paid to him up to JULY 2017 Rs: ^{210809/=}~~11775/=~~ per month.

Best regards

Yours truly


OFFICER INCHARGE



(#) (0) (7)

Annexure A1

13/014893787
M. Mehboob Elahi
A.T.M. 43 A
(See Para. 154 of
Audit Manual)

7902-H
NWFF

117

Pension Payment Order

PENSIONER'S PORTION

Mohammed Mehboob
%
Aniya

Main A - Bous

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Supreme Court

19

Office of the
No. 7902-H/NW/P 25.1.1999

UNTIL FURTHER NOTICE, and on the expiration of every month please pay to Muhammad Mehar the sum of Rupees Five Lacs & Sixty (Rs. 506/15) (less income tax) being the amount of PENSION.

as Ex. Postor
Upon the production of this order and a receipt in the usual form. The payment should commence from 1-11-99

(1st November 1999)

2. As Mr has exercised the option admissible under the Liberalised Pension Rules 1977 a lump-sum/gratuity of Rs (Rupees) in lieu of his 1/4th pension of Rs surrendered under the rules, is also payable.

The gratuity is debitable to the head:

Major Object 600	Transfer Payments.
Minor Object 660	Superannuation Allowance and Pension.
Detailed Object 663	Gratuity value of Pension.

3. He is also entitled to a temporary increase of Rs (Rupees) P.M. w.e.f or until further orders under usual conditions. A sum of Rs 139035/96 (Rupees Thirteen Nine thousand on account of commuted value of pension is also payable.

The commuted value is debitable to the head 5473

Major Object 600	Transfer Payments.
Minor Object 660	Superannuation Allowance and Pension.
Detailed Object 663	Commuted value of pension

Pen = 506-15
7-50-15
Tel = 552-76
23/1/92
Signature
Accounts Officer
Abbottabad
(Designation)
23/1/92

To
The Treasury Officer/D.A.O.
Manager National Bank of Pakistan.
Abbottabad

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TANIR FARAZ ABBASI
Advocate
Supreme Court of Pakistan

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NOTE (1). -

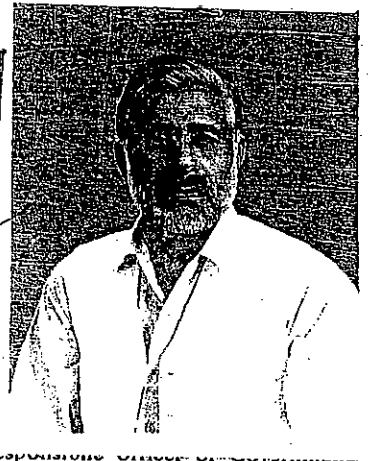
NOTE (2). -

(a)
(b)

(c)

(d)

NOTE (3). -



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(a) To any person sending a Life Certificate, signed by some person exercising the powers of a Magistrate of any Class under the criminal procedure code or by any Registrar or Sub-Registrar under the Registration Act, or by any pensioned Officer who before retirement exercise the powers of a Magistrate or any Gazetted Officer of Government or by a Munsiff or by any person holding a Government title.

(b) In all cases referred to in clauses (a), (b) and (c), the Disbursing Officer must, at least once a year, require proof, independent of that furnished by the Life Certificate of the continued existence of the pensioner.

(c) To any person sending a Life Certificate, signed by some person exercising the powers of a Magistrate of any Class under the criminal procedure code or by any Registrar or Sub-Registrar under the Registration Act, or by any pensioned Officer who before retirement exercise the powers of a Magistrate or any Gazetted Officer of Government or by a Munsiff or by any person holding a Government title.

(d) In all cases referred to in clauses (a), (b) and (c), the Disbursing Officer must, at least once a year, require proof, independent of that furnished by the Life Certificate of the continued existence of the pensioner.

On the death of the pensioner this order should be immediately returned by his/her family to the Treasury Office, District Account office/ National Bank of Pakistan with a report of the date of his death.

506-15

6

1-11-91

Record of lump-sum payments on account of Gratuity and Commutation:

Nature of Payment	Vr. No. and Date	Amount
<i>Sof. Commut. Value of</i>		
<i>Rs. 5473/-</i>	<i>25-1-92</i>	<i>139035/96</i>
<i>paid on 26-1-92</i>		
<i>27-1-92</i>	<i>1-8-92 to 21-10-92</i>	
<i>10-2-92</i>	<i>paid on 1-12-92</i>	
<i>10-5-92</i>	<i>3-12-92</i>	
<i>24-5-92</i>	<i>1-2-93</i>	
<i>11-8-92</i>	<i>2-3-93</i>	
<i>17-6-93</i>	<i>4-4-93</i>	

Tahir Faraz Abbasi
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 Advocate
 Supreme Court of Pakistan

10

Mohd. Mehboob Ellahi Mohd. Mehboob Ellahi

38

PENSION PAYMENT ORDER

Date of the other Audit and Account office authorising Pension/Gratuity/commutation.

PENSIONER'S PORTION

P.P.O. No. if any 1012-30

ROC 1/11/2014

Name of Pensioner: Mohammad Mehboob

Gross pension Rs. 1012-30

Designation and Grade: Ex. Fourth

Un-surrendered portion Rs. -

Post: Aizya

Committed portion Rs. 506-15

Restored on 1/11/2014

Address: c/o Mrs. Qureshi Cloth

Net pension payable monthly Rs. 506-15

Sarefa Bazar, Abbotabad

Contributable to Govt. NWFP

Phone: 121-44-059948

(Classification)

Date of birth: 10-6-1942

Major Function .. 000

Date of retirement: 1-11-1991

Minor Function .. 020

Length of Qualifying Service: 30-1-27

Detailed Function .. 028

Class of Pension: Retg.

Major Object .. 600

Monthly Pension/Gratuity/Comm. Rs. 1389-00

Minor Object .. 660

Account Officer (Local) NWFP, Peshawar

Detailed Object .. 661

No B-1A) Pen III (M-14)/5528

Dt 20.11.92



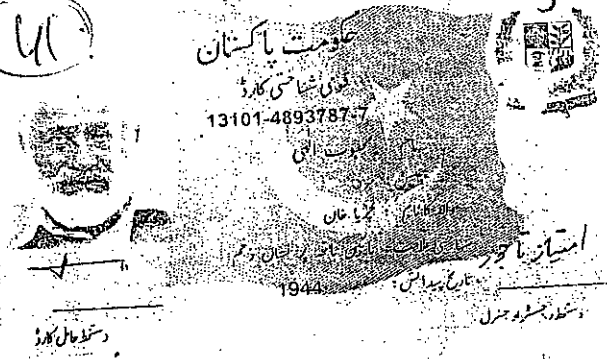
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Advocate
Supreme Court of Pakistan

(11)

(11)

"Annexure B"

(41)



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 Advocate
 Supreme Court of Pakistan

Y8FOVR 13101-4893787-7

مستند نمبر: 13101-4893787-7



مستند نمبر: 13101-4893787-7

تاریخ: 22/04/2014



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Advocate
Supreme Court of Pakistan

(42)

Life Certificate (لائف سرٹیفکیٹ)

Half Yearly Declaration for all Pensioners.

(This certificate is to be attached to the pension bills for December and June)

Pension Payment Order No: 7902 H Mughl

I hereby declare that I am alive and drawing my monthly pension from NBP

A. Ahmad Branch Main Post AD.

Dated: 23/12/2018.

Pensioner Signature / Thumb Impression:

[Handwritten Signature]

(A)

Name of Pensioner: Mehulbakh Elahi

Father / Husband Name: Chirria Khan

CNIC #: 13101-6893787-7 Contact#: 0302-5634716

Address: Banda Bahadur Po Band Pheqwaria AD (Khan Karid AD)

To be signed by two responsible officers or well-known persons. Nazim / Secretary Union Council.

We certify to the best of our knowledge and belief that the above declaration is correct.

(1) Name / Designate: Saifad Hussain Jevani

(2) Name / Designate: [Signature]

Signature / Stamp: [Signature]

Signature / Stamp: [Signature]

CNIC #: 13101-8300000-0

CNIC #: 13101-0000000-0

Contact #: 9310051

Contact #: 0333-5067248

Signature / Stamp

Received by: _____

Verified by: [Signature]

Manager

Manager

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Advocate
Supreme Court of Pakistan

13

21

506/15

8

Amount of Net Pension Payable monthly Rs. _____
 Every separate payment is to be _____

In Words _____
 recorded below by the Disbursing Officer.


Month for which pension is due	19	19	19	19	19	19	19	19	Remarks
	Date of payment	Disbursing Officer's initials	Date of payment	Disbursing Officer's initials	Date of payment	Disbursing Officer's initials	Date of payment	Disbursing Officer's initials	
July	4-7-73				2-94	31-	1-	84	10/2/30
August	12-8-93				6-94	31	3-	84	10/2/30
September	23-9-93				6-94	30	4-	84	506/15
October					8-94	31	5-	84	506/15
November					8-94	30	6-	84	506/15
December					7-94	31	7-	84	506/15
January					9-94	31	8-	84	506/15
February					7-94	30	9-	84	506/15
March					8-94	31	10-	84	506/15
April					9-94	31	11-	84	506/15
May					7-94	30	12-	84	506/15
June					8-94	31	1-	84	506/15

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22) 11 (55E - 76)
 6/11 30 10 84 1-806/30 P
 7/12 30 11 84 1-506/300
 5/15 31 12 84 1-506/300
 9/15 31 1 95 = 506 - 30
 8/25 28 2 85 1-506/30 1.
 13/15 31 5 95/1518/80
 23/15 31 7 80/1-10/2/30
 14 31 10 90/1-1779/899
 9/15 31 12 50/1 1113/520
 9/16 28 2 86/1 1113/520
 0/16 28 2 86/1 1670/280

11/16 31 10 86/1 2783/800
 16/17 31 11 97/1 1670/280
 4/17 31 3 97/1 1113/520
 6.697.1-4.9770 115-92. 1113.520
 6/17 31 7 87/1 ~~220/173~~ 1644/1572
 10/17 31 8 97/1 ~~1044/972~~ = 1644/972
 18/17 31 8 97/1 663/050
 5/17 30 11 97/1 1589/15
 17/18 31 12 97/1 2663/050
 6/18 31 1 98/1 663/050
 18/18 28 2 98/1 663/050

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 Supreme Court of Pakistan

15

Pen = 556.76
10% inc = 106.29 ✓
Total = 663.05 ✓
wef 1-3-97
618

District Accounts Officer
Abbottabad

23/8 31-398 / 663/05
85/10 30-4 (P) = 663/08
23-490 30-5-99 663/05
87-19 30-6-98 663-05
7-8-18 31-7-18 663-05

06-11-98 1-11-98 1989/15
31-10-98 663/15A
2/12 30-11-98 1589/1-P
53 22-2 663/2
24 22-3 663/3
15 20-4 663/4
1 20-5 663/5
2 31-5-99 663/6
67 30-6-98 663/7

Payroll = 663-05
25% inc = 292-30
TOTAL = 955-35 Pay
wef 1-7-99

District Accounts Officer
Abbottabad

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Advocate
Supreme Court of Pakistan

16

4 $\frac{24}{100}$ 31-2-ee 1911/2
 2 $\frac{100}{100}$ 30-e-ee 955/2
 95 $\frac{11}{100}$ 31-10-ee 955/2
 2 $\frac{12}{100}$ 30-11-ee 955/2
 4 $\frac{1}{100}$ 31-11-ee 955/2
 2 $\frac{1}{100}$ 31-12-ee 955/2
 3 $\frac{3}{100}$ 31-2-2-ee 955/2
 3 $\frac{4}{100}$ 31-3-ee 955/2
 2 $\frac{6}{100}$ 31-5-ee 1911/2

2 $\frac{2}{100}$ 30-6-2-ee 955/2
 2 $\frac{8}{100}$ 31-7-ee 955/2
 9 $\frac{9}{100}$ 31-8-2-ee 955/2
 3 $\frac{10}{100}$ 30-e-2-ee 955/2
 3 $\frac{11}{100}$ 31-10-2-ee 955/2
 7 $\frac{12}{100}$ 30-11-ee 955/2
 2 $\frac{1}{100}$ 31-1-2-ee 955/2
 7 $\frac{1}{100}$ 31-1-2-ee 955/2
 2 $\frac{3}{100}$ 28-2-ee 955/2

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17

26/4 2001 31-5-2001 955/2
 10/5 2001 30-6-2001 958/2
 7-6 2001 31-5-2001 955/2
 4/8/2001 1-6-2001 286/2
 10/10 2001 30-9-2001 958/2
 5/11/2001 21-10-2001 958/2
 6/11/2001 20-11-2001 958/2
 11/12/2001 7-12-2001 2102/2
 11/2/2002 28-5-2001
 6/8/2002 1-6-2002 2102/2

Recd = 955/PM
 10% m = 95/50
 Total = 1050/PM
 up to 1-12-2001

Accounts Officer
 Abbottabad

7-12-01
 14/11 1-8-2001 3150/2
 17-5-03 1-11-2001 2102/2
 5/4/03 25-2-2002
 17-5-03 1/02 to 28-5/03 2102/2
 5/4/03 3/03 1051/2
 14/5/03 30/4 2003 1051

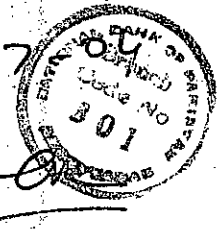
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 18

26/6/21 3-8 247 1051
 8/7/21 3-6 24 1051
 9/8/21 31-7 249 1051
 8/9/21 31-8 234 1367
 6/10/21 1-8 217
 6/10/21 31-10 23 A 2418
 5/11/21 31-12 24 2418
 8/12/21 27-2 24 2418
 5/1/22 31-8 4 1208
 5/3/22 30-4 24 1208
 5/5/22 31-8 21 1208

27/10/21 - 30/11/21 1209 - 1

Pension R. 1209 -
 16 8/10/21 193 -
 = 1402/-

mf 1-7


8/12/21 31-7 0 4 1402
 7/1/22 31-8 0 4 1402
 6/10/21 9/11 1402/-

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19

20/4/27 31 10 24 1402
 8/4/27 30 11 24 1402
 7/4/27 31 12 24 1402
 8/4/27 28 2 - 5 2806
 11/4/27 31 3 - 5 1402
 5/5/27 30 4 - 8 1402
 7/5/27 31 5 - 8 1402
 2/7/27 5 6/25 1402

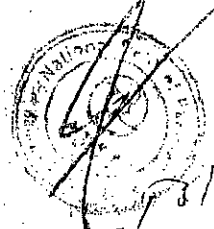
20/4/27 31 10 24 1542
 8/4/27 30 11 24 1542
 7/4/27 31 12 24 1542
 8/4/27 28 2 - 5 3090
 11/4/27 31 3 - 5 3084
 5/5/27 30 4 - 8 1542
 7/5/27 31 5 - 8 1542
 2/7/27 5 6/25 1542
 11/5/27 30 11 24 1542
 6/6/27 1 06 1542
 5/2/27 6/6 1542

Retention 1402
 1/7/2005 10% 140-20
 1542-20
 5/8/2005

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20 17

(28) per 1562
 157 - 231
 1773



7/8/06 1773
 6/11/06 1773
 15/12 1773
 10/11/07 21773
 16/2/07 1773
 4/4 21773

15/3 03/07 1773
 04/05 04/07 1773
 12/06 5/07 = 1773
 9/7 6/07 = 1773
 9/8 7/7 = 2128
 7/8 8/7 = 2128
 7/8 per 1773
 20% 355
 Total 2128
 5/10 9/07 = 2128



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21

2/11	(29)	10/07	= 2128/-
3/12		11/07	= 2128/-
5/1/08		12/07	= 2128/-
4/2/08		01/08	= 2128/-
10/3		02/08	= 2128/-
10/2/08			2128
12/2/08	31	30	2128
2/3/08	30	4	2128
7/3/08	31	8	2128
14/3/08	30	6	2128
21/3/08	31	7	2128
28/3/08	31	8	2980

Pen	2128	00	
20.7	426	00	
<hr/>			
total	2554	00	
with	128		
2/10	30	8	2554
5/10	31	10	2554
8/10	30	11	2554
12/10	31	12	2554

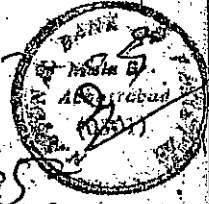


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132 30-1-8 2853
 59 31-1-8 2554-
 67 31-3-8 2554-
 118 30-4-8 2554
 41 31-5-8 2554
 87 30-6-8 2554-
 Increase 20% 511-

TOTAL = 3065/-

W.E.F. 1-07



128 31-7-8 3065
 45 31-8-8 3065

310 30-1-8 3065
 311 31-10-8 3065
 1100 31-11-8 6130-
 320 31-1-10 3065
 670 30-2-10 3065
 505 31-3-10 3065
 1700 30-4-10 3065
 1100 31-5-10 3065
 1070 30-6-10 3065
 692 31-7-11 2587

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31 Pension - 3065 -
 Inc 207. - 613 -

 Total - 3678 -
 M/A 257 - 919 -

 Total - 4597 -

well - 1-7-2010

[Signature]
 DISTT COMPTROLLER
 ABBOTTABAD

1461

SA 1.7.10 to 31.7.10 RS = 4597/-

28 31-8 10 4597 -
 P
 4/10 30 9 10 4597 -
 4/2
 4/11 31 10 10 4597 -
 4/12 30 21 10 4597 -
 4/13 31 12 10 4597 -
 4/14 31 11 11 4597 -
 4/15 31 28 11 4597 (8)
 4/16 31 3 11 4597 -
 4/17 30 4 11 4597 -
 4/18 31 5 11 4597 -
 4/19

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207 30 32 6 11 21587-
 Jan 3678-
 (Nov. 20) 736-
 m.c. 4414-
 919-
 5333-
 Wed. 1-7-11



11 31 7 11 5333-
 7 30 17 11 5337
 10 31 8 11 5333
 11 31 10 11 5333-

7 30 11 11 5337
 3 31 12 11 5333 ✓
 1/2/12 1/12 18-5333/2
 16/3/21 2/11 18-5333/2
 3/4/12 3/12 18-5333/2
 9/3/12 4/12 18-5333/2
 5/6/12 5/12 5333 ✓
 1/7/12 6/12 5333 ✓
 7/9/12 7+8 12432 ✓
 2/10/12 8/12 8216 ✓

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 COURT CLERK
 District of Columbia

33

pen 4414
 inc 20% 883

 5297
 added 919

 6216

32
 15
 616/15

1-5-13

 3066
 076

12432/15
 6216/15

emp 12
 12

 24

17/11/16 10/16 6216/16
 11/16 6216/16
 7/1/15 12+1 12432/15
 4/3/15 13 6216/15
 7/5/15 3+4 12432/15
 15


Pen. 5297-
 15/ 795-

 6092-
 M.A. ✓ 919-

 7011-

Wd. 17-13

10/10/15 08+9 14817/15
 18/11/15 10/1 7011/15
 21/1/15 11/13 7011/15

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34
 17/1/14 12/2013 7011
 6 2 14 1/14 7011
 17 3 14 2/14 7011
 9 4 14 3/14 7011
 19 5 14 4/14 7011
 31 6 14 5/14 7011

Pen
 10/ 6082-
 MA 608-
 6701-
 918-
 7620-
 wdf 1-7-14



578/14 7/14 7620/ ✓
 10 1-5-14 15240 ✓
 14 308-15

Pengin Rs 7620-
 ROC WEF 1/11/2014 806-15
 WEF 1/11/2014 8126-15

12 30-11-14 16354 ✓
 15 31-12-14 8177 ✓
 23 15

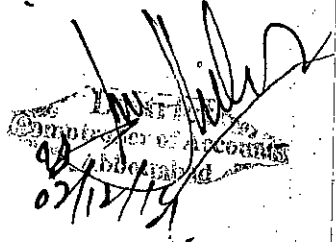
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Pension Rs. 6701 -
 ROC No. 506 -
 10j. Rec Rs. 51 -

 7258 -
 M.A. = 919 -

01 $\frac{11}{14}$ 8777 -
 14

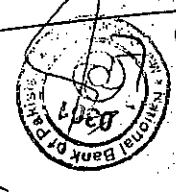

 Computer expert of accounts
 07/12/14

$\frac{2}{10}$ 16 27-51-15 8177

$\frac{64}{10}$ 22-53-15 16354
 $\frac{15}{25}$ 5/15 204-18 8177
 $\frac{6}{06}$ 6 27-8-15 8177
 $\frac{18}{137}$ 18 20-6-15 8177

Pension - 7258 -
 M.A. = 919 -

Total 984 -
 Medical 919 -
 919 -
 230 -



net $\frac{12}{15}$ - 9133

$\frac{7}{07}$ 7 20-2-18 9138

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36/05/15	30-9-15	182667
17/11/15	27-10-15	91887
18/11/15	20-11-15	91887
02/12/15	27-12	91337
02/12/15	28-12-15	91887
09/1/16	29-2-16	91337
01/4/16	27-3-16	91337
16/05/16	20-4-16	91887
11/6/16	27-5-16	91337
24/9/16	1-6-16	91337
	4-8-16	Ph 289987

		Ph - 7984
		101 798
		8782
		1149
		9931
1-7-16		
		9931
02/10/16	30-9-16	9931
05/12/16	20-11-16	19887
10/1/17	21-12-16	9931
4/4/17	21-01-17	9931
		19862



ASKED TO COMPLETION OF ACCOUNT LIABILITIES DATE 9/9/17

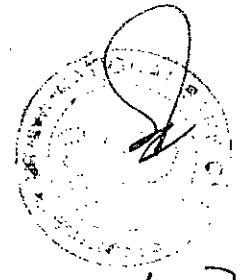
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23⁰⁰ 31-7-17 406022

(39) n

L.P.C. ...
D.A - 0 - AM
24-10-18
Manager



1-7-17

per 8782
101 878
9660
1149
10809 ✓

9660 -
966 -
1149 -
10775 ✓

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TAHIR FARAZ ABBASI
Advocate
Supreme Court of Pakistan

Annexure C

گورنمنٹ جنرل سیکرٹریٹ، صوبہ اہلحد آباد
محرم النبی ولد چیر یا خان سادات حسن خور و انخانہ

24
Date: _____
At: _____

تہوٹ حال بانڈہ بٹنک و انخانہ بانڈہ پھلوڑیاں
تعمیر و ضلع اہلحد آباد

بنام

- 1) ڈی. ایف. او محلہ جندرات اہلحد آباد
- 2) ڈسٹرکٹ انچارج آفسیئر ناڈر اہلحد آباد

میں نے جو علی محمد صدور ڈی اے ایف او محلہ جندرات اہلحد آباد سے
 قرار دیا ہے اس کے بارے میں نام محمد حبیب الہی ولد چیر یا خان ہے
 اور اسی طرح رجسٹرڈ تاریخ پیدائش 10/6/1942 ہے جس کے بارے میں
 محمد علی غنی صاحب نے نام محمد حبیب اور شناختی کارڈ
 059948-44-121 رنج ہے اور اسی طرح محمد علی غنی کے بارے میں

میں تاریخ پیدائش 1944 رنج ہے جو غلط طور
 قانون غلط واقعات اور حقوق مدعی
 مالک کے ساتھ ہے اور قابل دستگی اور قابل

تعمیر ہے

مالکیت اور ضلع اہلحد آباد 2001

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 TAHIR FARAZ ABBAS
 Supreme Court of Pakistan

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با: دعویٰ طہارہ و عدویٰ حاکم اعتدالی نامی و بدلتی

Civil Judge
1-12-18

خلفہ عدلیہ مہدی کا نام، شناختی کارڈ نمبر 1-12-18
تاریخ بدلتی کی رشتگی کے ماخذات کا اہل بدلتی

عالمین کوٹہ میں اہلیہ، حالت = 2001

جناب عالی: بیان دعویٰ زیل ہے

1 یہ کہ مدعی نے شناختی کارڈ نمبر 1-12-18 کے تحت بدلتی سے بدلتی

ہے اور حملہ جہاں میں محمد محبوبہ راج ہے اور

اسی طرح اپنی نیت میں مدعی کا شناختی کارڈ نمبر

44059948-121-2 ہے۔ نقل بدلتی کے ساتھ ہے۔

2 یہ کہ مدعی نے بعد از بدلتی اپنا نام ہی بدلتی کے ساتھ لکھا

وقت افطار میں عوام 12/04 کو اشتہار بھی دیا جس سے

مدعیہ نے مدعی کے نام ہی بدلتی لکھی اور تاریخ بدلتی

بدلتی 1944 سے راج کر کے شناختی کارڈ کا اجراء

کیا تاہم شناختی کارڈ نمبر عالمی افطار سے ہے۔

3 یہ کہ مدعیہ نے اپنے مدعی کو بدلتی لکھا اور وہ

مدعی کے نام ہی بدلتی لکھی ہے اور مدعی کو اور

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Supreme Court of Pakistan

پنشن کے کاغذات میں مدعی کا نام محبوب الہی

ورج کرن کا لکھا جو مدعی سے محبوب الہی کے نام سے ہے

1-12-18

تا حال پنشن کے رہا ہے نقل پنشن بک لف ہے

کی یہ کہ محمد مال کے کاغذات میں بھی مدعی کا ریت

نام محبوب الہی رنج ہے نقل فرد جنید خان لف ہے۔

کی یہ کہ محمد علی محمد نے حضور بیکار مدعی کا نام، شناختی کارڈ

غیب اور نام پیدائش حضور رنج ہے جو کہ حضور حضور

تھانوں، حضور واقعات اور مدعی پر مالک دم و اثرب ہے

اور قابل رہنمائی و قابل تسلیم ہے۔

کی یہ کہ حضور محمد علی محمد سے کیا اور پیدائش کا نام وہ حضور بیکار

مدعی مدعی کے شناختی کارڈ غیب اور نام پیدائش رنج

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Advocate
Supreme Court of Pakistan

کرنے کے حضور محمد علی محمد حضور سال سے مدعی کو پنشن

رہنے سے اعتراض کے ساتھ ساتھ حضور علی انصاری ہے

جی یہ کہ رنج کے حضور و نبائے لکھتے از انہیں

انصاری محمد علی محمد سے پیدائش حضور بیکار حضور کو

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اعتبار حاصل ہے۔

8. دیگر راجوں اندر اعتبار ہے۔

9. دیگر مالیتوں کی نسبت طور پر درج عنوان
راجوں ہے۔

لینڈ اسٹریٹس اور عوامی مدنی برادریوں

کا مجموعہ جو کہ اس وقت تک اس وقت تک

حضور الہی مدنی بندہ اور وکیل خود

[Signature]

[Signature]

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TALIB RAHMAN
Advocate
Supreme Court of Pakistan

بیان حلفی

حلف بیانی میں کہ جلد اس وقت تک

علم و یقین درست و صحیح ہے اور کوئی بھی

اس شخص سے رکھا گیا ہے۔

ATTESTED
Special Magistrate
No. SCJ/10/10/10/10/10
Abbottabad
Notary Public

حضور الہی مدنی

32 29 34

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A

http://www.nawaiwaqt.com.pk
email:isb@nawaiwaqt.com.pk



سلسلہ اشاعت کے 64 شمارے

DAILY NAWA-I-WAQT
RAWALPINDI
ISLAMABAD

روزنامہ نوائے وقت

لاہور، اسلام آباد، راولپنڈی، فیصل آباد، گجرات، سندھ، پنجاب، خیبر پختونخوا، بلوچستان، آزاد کشمیر، گلگت بلتستان

جلد	51
آؤد 29 شولہ لکڑم 1425ء 12 سبر 2004ء 27 سبر 2061ء	
فونڈر و پبلشر: 2202841-444 اسلام آباد 45662676-77	
UAN 111-222-007	
قیمت 10 روپے	
صفحات	44
رجسٹرڈ نمبر	ایس پی آر 003
شمارہ	158

SUNDAY, DECEMBER 12, 2004

میرا مسلح نام محبوب ہی ہے جو ظلم سے ہمیں دوستی دلاتا ہے
جو محبوب کہا گیا ہے اور جس کی جائے محبوب ہی اور نہ مانی
چرا تھیں کمن خود تحصیل وطنی ایسٹ آباد
CM-44649

Fahim
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Advocate
Supreme Court of Pakistan

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(14)

Annexure "B"

بدلت جناب منیر سولنگی صاحبین سے اس پر آباد

حبوب الہی نام دعویٰ ایف او نمبر

دعویٰ استغدادیہ نمبر

1 دعویٰ طرز بیان علی

2 نقل شناختی کارڈ

3 پیشین بیان

4 رضا اشتہار

5 جملہ ریکارڈز

6 وکالت نام

7 فوٹو کاپی ڈاکیمنٹس

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Advocate
Supreme Court of Pakistan

حبوب الہی مدعو

+

THROUGH BANK ACCOUNT

(38)


PENSIONER INFORMATION TO BE FILLED IN BY THE PENSIONER IN CAPITAL LETTERS

44

PPO No.	7902 H New Sp.		
SAP Personnel No.	A		
Accounts Office (From where PPO originally issued)			
Name of Pensioner	Mahammad Mehboob (Now) Mehboob Elahi		
Father/Husband Name	Chairia Khum.		
Family Pensioner Name			
Spouse/Father/Mother Name			
Pensioner NIC Old #	121-44-059948.		
Pensioner CNIC #	13101-4893787-7.		
Family Pensioner CNIC #			
Residential Address (Current)	Bandla Bataog Po Band Phazwarian ATB		
Residential Address (Permanent)	Khm Khumra Teh. Distt. A. District.		
Designation & Grade at the time of Retirement	Forester		
Bank Branch Name	U.B.L. SABZI MANDI ATB	Branch Code	7431
I hereby opt to draw pension through direct credit system and have also submitted Indemnity Bond* To the bank.			
*The pensioner shall produce an Indemnity Bond to keep the Bank indemnified about liabilities with all sums of money whatsoever including mark-up of his/her Pension Account. The pensioner would further undertake that his/her legal heirs, successors, executors shall be liable to refund excess amount, if any, credited to his/her Pension Account either in full or in installments (as agreed mutually) equal to such excess amount.			
Pensioner's Signature	Thumb Impression		

Dated:

Account Verification (To be verified by the Bank)	
Account Title (Name)	M. Mehboob (Now) Mehboob Elahi
Account No.	015.00/0243735
Branch Name	U.B.L. SABZI MANDI ATB
Branch Code	1431
Indemnity Bond submitted by the Pensioner	

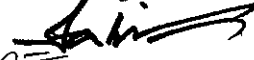

QASSIM HASSAN
 Branch Manager
 United Bank Limited
 Sabzi Mandi Br. Abbottabad (1431)
 Signature of Bank Manager

To be issued by Accounts Office

Acknowledgement Receipt No. _____

Date _____

Signature of Officer _____


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 COPY
M. HIR FARAZ NEBASI
 Accounts
 Supreme Court of Pakistan

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Government Of Khyber Pakhtunkhwa
Forestry, Environment & Wildlife Department
(Litigation Section)

Dated Peshawar: 23/02/2016.

ORDER.

NO.SO(Lit:)/ED/FSC-VIII/2014:- The competent authority is pleased to grant extension in the contract period of Qazi Obaidur Rehman Advocate as Forest Standing Counsel Galies Forest Division Abbottabad (District Abbottabad) for year w.e.f 01/07/2017 to 30/06/2019 subject to same Terms and Conditions as laid down in this Department order of even number dated: 01/03/2000.


Secretary
Govt: of Khyber Pakhtunkhwa
Forestry, Environment & Wildlife Department

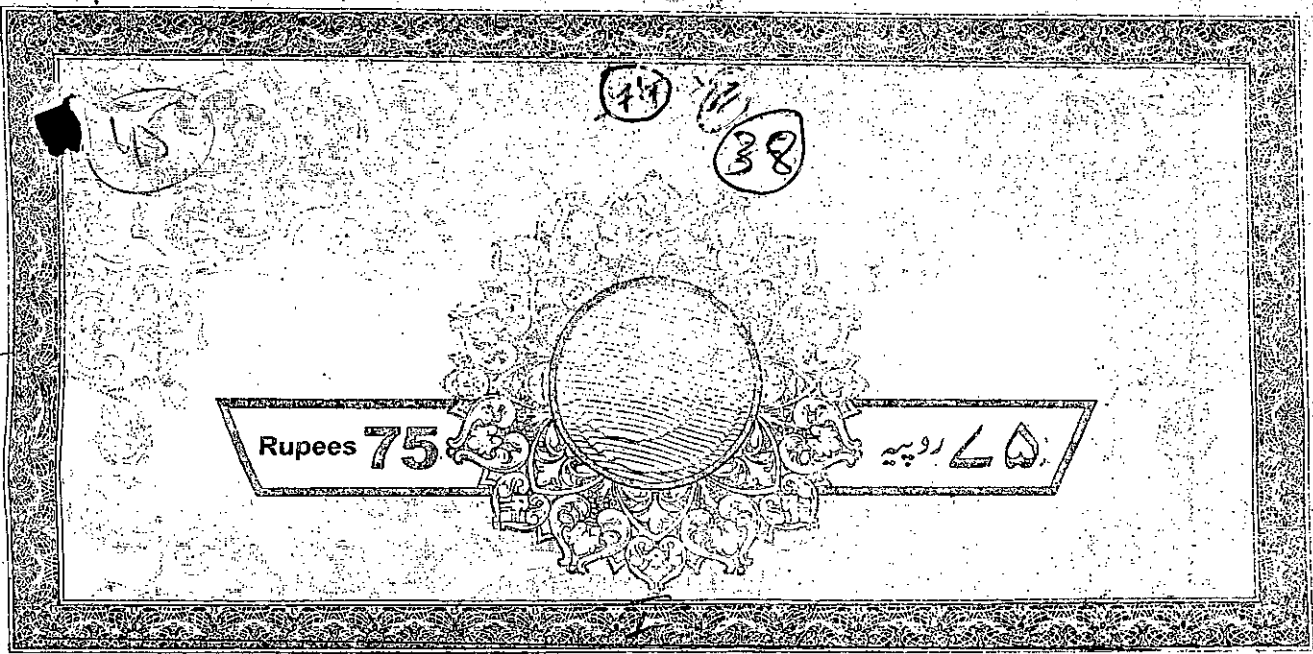
Endst: of even No. & Date: 841-95

Copy is forwarded to: -

1. Chief Conservator of Forest, Northern Region-II, Abbottabad.
2. Conservator of Forest Lower Hazara Circle, Abbottabad.
3. Divisional Forest officer, Galies.
4. Director Budget & Accounts, Forestry, Environment & Wildlife Department Peshawar.
5. Qazi Obaidur Rehman (Advocate) C/O DFO Galies.
6. PS to Secretary Forestry, Environment & Wildlife Department.


(MIR ZALI KHAN)
SECTION OFFICER (Litigation)


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Advocate
Supreme Court of Pakistan



INDEMNITY BOND

(On Rs. 30 Stamp Paper)

To

The Manager,
U.B.L. SABZIMANDI (Name of Bank)
U.B.L. A.P. Road (Branch Name)
SABZIMANDI, A.P. Road (City)

23/x/2018

In compliance with the SBP's instructions for payment of pension through your Bank Branch, I agree to indemnify you and keep you indemnified about liabilities with all sums of money whatsoever including mark-up of my Pension Account. I further undertake that my legal heirs, successors, executors shall be liable to refund excess amount, if any, credited to my Pension Account either in full or in installments equal to such excess amount.

Pensioner

Co-Indemnifier/Nominee/Successor/

Signature

Signature:

Name of Pensioner: Mehboob Elahi

Name Next of Kin: Resham Poirai

CNIC: 13101-4893787-7

CNIC: 61101-2952167-6

Date of Retirement: 1.11.1991

Address: Banda Batang P.O. Banda Phayawank. A.P.

PPO No: 7902 H NW 8 P

Resident Khaw Khaw Teh Dist. A. A. Road

Bank Account No: 251169004

Witness -1

Witness-2

Signature

Signature:

Name: Muhammad Ahmad

Name: Muhammad Malik

CNIC: 13101-8513451-9

CNIC: 13101-752158-9

Date: 23/x/2018

Date: 23/x/2018

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Supreme Court of Pakistan

23/10/18

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13101-4593787-7

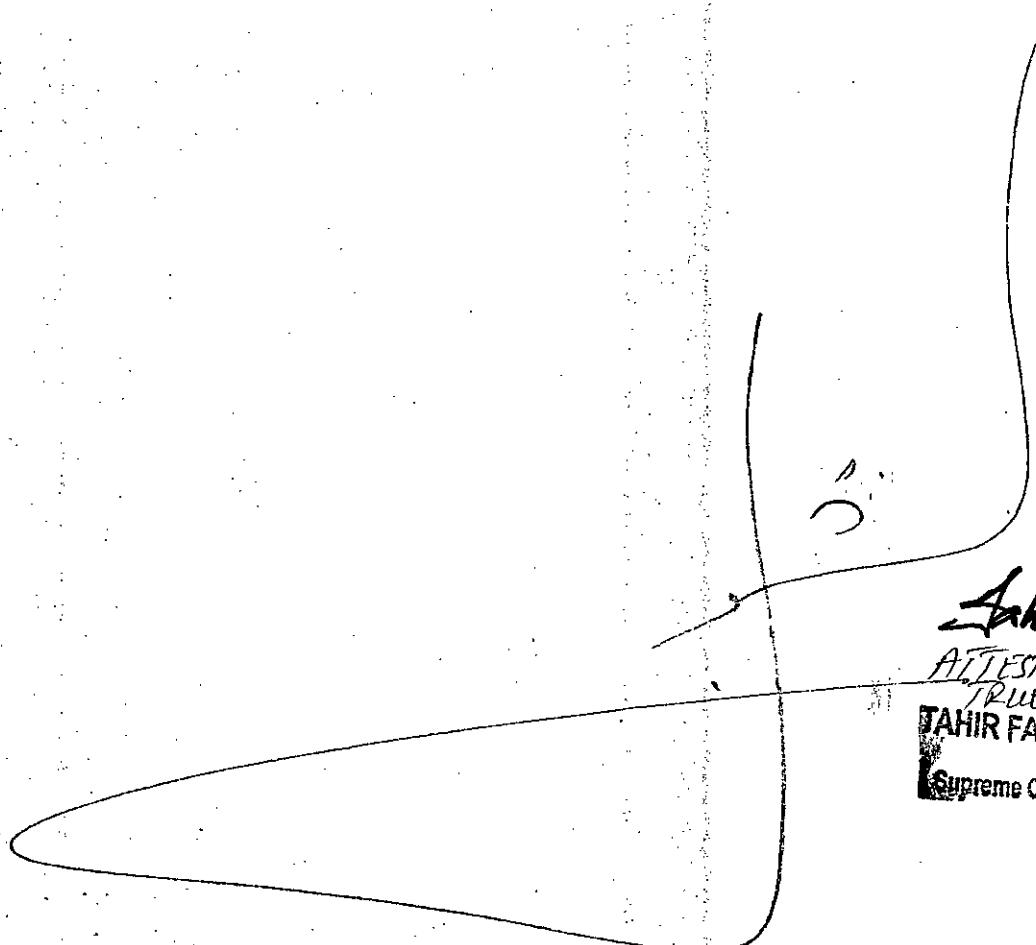
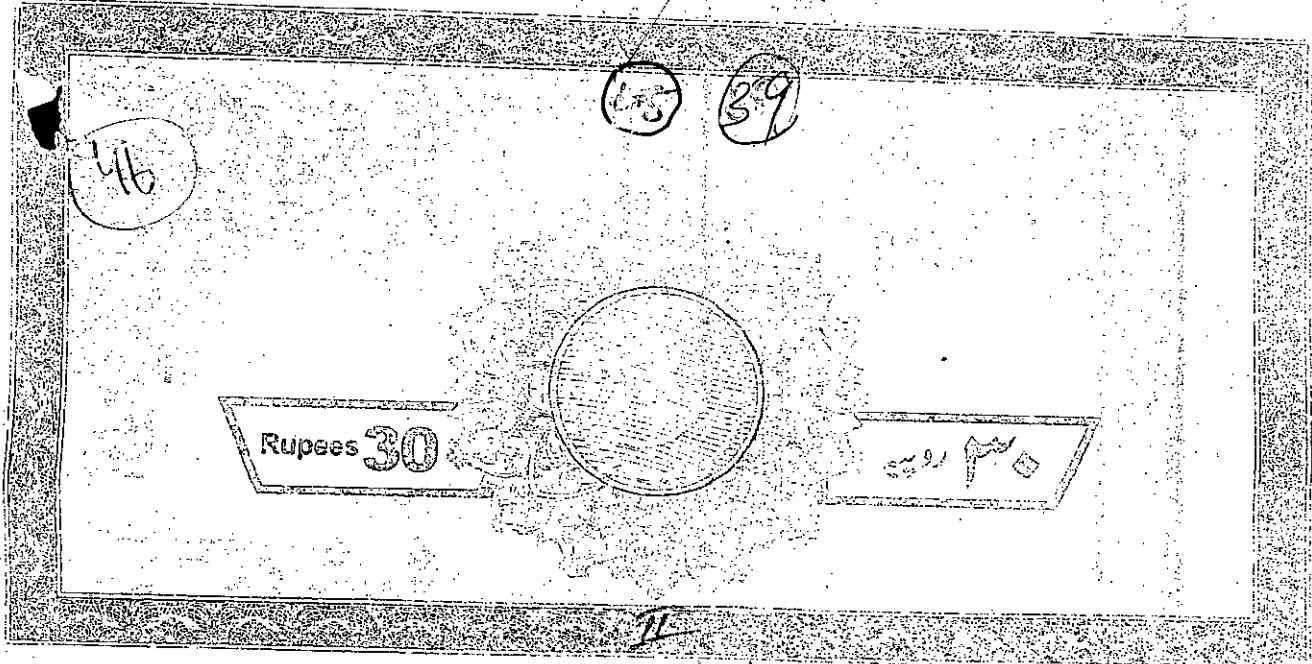
Handwritten mark resembling a stylized 'M' or 'W'.

Handwritten Urdu text, likely a signature or a note, written vertically.

MOHAMMAD FARAZ ANJUM
STAMP VENDOR Lic: # 123
Karachi, Abbottabad

23-10-18
2466

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AHIR FARAZ ABBASI
Advocate
Supreme Court of Pakistan



Tahir Faraz Abbasi
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TAHIR FARAZ ABBASI
Advocate
Supreme Court of Pakistan

1	2	3	4	5	6	7
نمبر کتاب	نام مالک مع احوال	نام کاشتکار مع احوال	نمبر خسرہ	رقبہ مع قسم زمین	لگان	مالیہ
۲۲۴۸	محمد اسحاق 14307	محمد اسحاق	۲۹۱۱	1-12		
۲۲۴۹	محمد الہی یعقوب			0-1 باڑی		
۲۲۵۰	محمد الہی یعقوب			8-180		
۲۶۶	محمد حسین		۲۹۰۲	41-16		
	محمد حسین			0-10 کلٹی		
	محمد حسین		۲۹۰۸	7-8		
	محمد حسین			8-5		
	محمد حسین			0-2		
	محمد حسین		۲۹۲۴	10-6		
	محمد حسین			0-3 باڑی		
	محمد حسین			0-5		
	محمد حسین		۲۹۲۶	6-2		
	محمد حسین			16-1 باڑی		
	محمد حسین		۲۹۹۹	3-11		
	محمد حسین			0-2		
	محمد حسین			11-1		
	محمد حسین		۲۹۹۸	15-7		
	محمد حسین		۲۰۲۷	1-1		

محمد حسین

75-5
28-12
46-13

تعمیر
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Supreme Court

Annexure D

غوب الی بنام D.F. دینے۔

دوی اکثریم۔

غوب الی بنام دوی بنام دینے۔

غوربت ہندی۔

دوی کوئی بنام دوی حاصل نہ ہے۔

دوی بیرون زرعیار۔

دوی بوجہ عدم رکنال فدی فردی ناصی ہے۔

دوی مدنی "Lahore-India" نہ ہے۔

دوی زیر رکنال دوی "قابل فرج" ہے۔

غوربت دھانی۔

نقرہ ہزار دست۔ دوی مدیم سرکار دیا اور دپ ریٹائر ہو گیا۔

دوی "غوب" سے نام سے حکم میں جبراً ہوا۔ خزانہ سرکار سے ایسی نام کے

حکم نمونہ دیکھو کہ نام کے حاصل کرنا اور ایسی نام سے حکم سے ریٹائر ہو گیا۔

اور دوی نام کے حکومت سے پیشین دہی کرنا دیا۔ دستاویزی ریٹائر ہو گیا۔

یہی حکم کا نام ہے جو اب ہوا۔ جی جی دینا ہے۔ دوی حکومت کا دستاویز ہے۔

ریٹائر دینے کے لئے دینے ہوئے۔

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Advocate
Supreme Court of Pakistan

نہیں دیا گیا۔

نقرہ ہزار دینے۔

نقرہ ہزار دینے۔

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15/1/19

15/1/19

15/1/19

Divisional Forest Officer
Galis Forest Division
Abbottabad

Divisional Forest Officer
Galis Forest Division
Abbottabad

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"Annexure E"

گجرات جناب سول جج صاحب آئی ایٹ آباد

محبوب الہی

بنام

نادر

مدعا علیہ

مدعی

دعویٰ استدعا رسید

درخواست : نمبر دادخواست اجلی مقدمہ عنوان ذیل آڈر رول 67 اصول

جناب عالی : درخواست ذیل عرض ہے۔

1. یہ کہ مقدمہ عنوان ذیل سماعت عدالت میں ہو رہا ہے جس میں مورخہ 18/2/19 تاریخ پیشی مقرر شدہ ہے۔

2. یہ کہ مدعی کو کوئی بنائے دعویٰ حاصل نہ ہے۔

3. یہ کہ دعویٰ مدعی عدالت کے اختیار سماعت میں نہ آتا ہے۔

4. یہ کہ مدعی سول سرونٹ ہے اور اس کے لیے پرائیمری کورٹ موجود ہے۔

5. یہ کہ معاملہ سروس کورٹ میں حل کر سکتی ہے جس کے لیے عدالت کا اختیار ہوگا۔

6. یہ کہ مقدمہ عنوان میں عدالت مذکورہ ذاتی ضائع کرنے سے متراپ ہے۔

اندریں حالات استدعا ہے کہ تقاضا صاف و قانون ہے کہ دعویٰ مدعی آڈر رول 67 اصول 67 خارج فرمایا جائے تاکہ حکم صادر فرمایا جائے

المقدم 18/2/19

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نادر آفیس ایٹ آباد

بھارتیہ نادر انعامیہ

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Annexure F

(Annexure F)

کعدالت جناب سول جج صاحبہ VII ایبٹ آباد

محبوب الہی نام DFO وغہ

دعویٰ استعراہ وغہ

جواب درخواست مجاہد مدعی

05-08

Muhammad Ahsan
Civil Judge
Abbottabad
05-3-19

جناب عالی ! جواب درخواست ذیل عرض ہے۔

1 - فقرہ نمبر 1 درخواست کے جواب کی ضرورت نہیں ہے۔

2 - فقرہ نمبر 2 درخواست سے انکار ہے۔ مدعی کی بنائے دعویٰ

عرضی دعویٰ اس لفظ سے درج ہے۔ اور یہ امر محتاج شہادت ہے۔

اور محتاج لکچر ہے۔ آجائے مدعی کو بنائے دعویٰ حاصل ہے

یا نہ فی الحال دعویٰ اس بنائے دعویٰ درج شدہ ہے

3 - فقرہ نمبر 3 درخواست غلط ہے۔ درستگی نام اور درستگی

تاریخ پیدائش سے تنازعہ میں صرف عدالت وروانی کو

ہی اختیار سماعت حاصل ہے۔

4 - فقرہ نمبر 4 درخواست بالکل غلط ہے۔ مدعی اپنی سروس

پوری کر کے اب پیش نہیں ہے۔ اور سروس کی نسبت

کوئی تنازعہ محض نہیں ہے۔ تنازعہ صرف درستگی نام

اور تاریخ پیدائش پر ہے۔ جس کی نسبت اختیار سماعت

ہے۔

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Advocate
Supreme Court of Pakistan

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(45)

(45)

5 - فقرہ نمبر 5 غلط ہے۔ سروں کورٹ کے اختیار سماعت میں تنازعہ پیدا نہیں ہو سکتا۔ اور نہ ہی سروں کورٹ اختیار سماعت رکھتی ہے۔ پھر سے عرض ہے کہ تنازعہ درستگی نام اور درستگی تاریخ پیدائش پر ہے۔

Qanun

Qanun
Civil Judge (S) District
Abbottabad

6 - فقرہ نمبر 6 درخواست غلط ہے۔ اصل میں مدعا الیہ جواب دہوں میں سے کسی سے ہے۔ اور جواب دہوں میں سے کسی سے نہیں ہے۔ اور ان اوقات قابل افرام ہو چکا ہے۔ درخواست گزار تاویلات کا قانون اس امر پر مبنی ہے کہ وہ مدعی کے صورت کو الٹ کرے۔ اور مدعی کا قانونی ڈیوٹی ہے۔ کہ مدعی کے کو الٹا صورت کرتے سے حکومت نادرہ انٹار میں کر سکتا ہے۔ اور ان کے انٹار انٹراہ درستگی میں مانع ہونا قابل افرام ہے۔ جبکہ نسبت چارہ چوری کے لئے مدعی مستعد ہے۔

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Advocate
Supreme Court of Pakistan

استدعا ہے کہ درخواست خارج فرمائی جاوے اور غلط درخواست گزار پر درخواست گزار کے خلاف قانونی ارادے فرمائی جاوے۔

المقوم 5³/₀₉ ایس کے ایچ

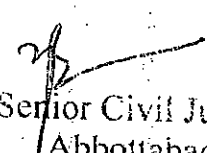
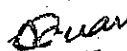
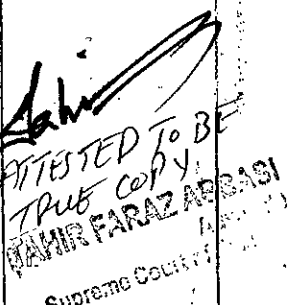


محمد علی

نور محمد

محبوب الہی و لاہوری خان

COURT OF SENIOR CIVIL JUDGE/JUDICIAL MAGISTRATE, ABBOTTABAD.

Case No. 478/179/07-VI/15 Annexure G

Serial No of order or proceeding	Date of order or proceeding	Order of other proceeding with signature if judge of magistrate and that of parties or counsel where necessary
Order.....01	1-12-18	<p>Civil Suit presented through counsel. It is entrusted to The court of learned civil judge <u>(VI)</u> Abbottabad. Plaintiff/ learned counsel is directed to appear before said court today</p> <p align="right">  Senior Civil Judge Abbottabad 1-12-18 </p>
478/1 01/12/18	Or.....02 01.12.2018	<p>Put up after scrutiny.</p> <p>Announced 01.12.2018</p> <p align="right">  Qazi Muhammad Adnan Civil Judge-VI, Abbottabad </p> <p align="center"> کتاب عالی ریشالی کی کاپی ڈکوی اسٹوریج کے تحت وکالت نام لیف ڈکویجہ ہیں رورڈ محمد علی 1-12-18 </p>
1353 1078 	Or.....03 01.12.2018	<p>Plaintiff along with counsel present and verified the contents of plaint to be true and correct. The case is one of the civil court jurisdictions. Be registered in the register of civil suits. Process be issued to defendant for 07/01/2019, subject to submission of summons forms/registered AD within three days positively.</p> <p>Announced 01.12.2018</p> <p align="right">  Qazi Muhammad Adnan Civil Judge-VI, Abbottabad. </p> <p align="center">  </p>

Order No.04
07.01.2019

Clerk of counsel for plaintiff present.

Representative on behalf of NADRA/defendant No.2 present and submitted authority letter same is placed on file while defendant No.1 despite personal service did not appear before court, hence placed and proceeded ex-parte. File to come up for submission of written statement on 28-1-19

Announced
07.01.2019

Qazi
Qazi Muhammad Adnan
Civil Judge-VI
Abbottabad

Order No.05
28.01.2019

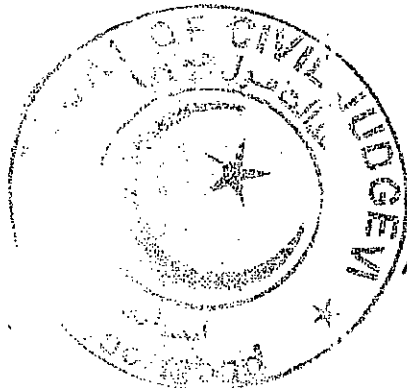
Clerk of counsel for plaintiff while representative on behalf of NADRA present.

Today the case is fixed for submission of written statement, however representative on behalf of NADRA sought time. Time granted with direction to submit the same on date fixed positively. File to come up on 08/2/2019

Announced
28.01.2019

Qazi
Qazi Muhammad Adnan
Civil Judge-VI
Abbottabad

Sahib
ATTESTED TO Order-06
BE TRUE COPY
TAHIR FARAZ QAZI
2019
Supreme Court of Pakistan



Clerk of counsel for plaintiff while representative on behalf of NADRA present. Representative on behalf of NADRA sought time for submission of written statement. In the larger interest of justice absolute last opportunity granted with direction to submit the same on date fixed. File to come up on 18/2/19

*Announced
08.02.2019*

Qazi
Qazi Muhammad Adnan

Order-07
18-02-2019

وکیل برقی حامد
مدعا علیہ نمبر 02 (نادرا) کی جانب سے درخواست اخراجگی
مقدمہ داخل عدالت ہو کر سبیل میل منسل شد
مدعا علیہ نمبر آئی جانب سے درخواست بھرا منسوقی کارروائی
تسلیم ہو کہ پہلے سے منسل میل شد ہے۔
منسل برائے اذکار جواب درخواست بائے عودتہ 3/05/19 کو
پیش ہوئے

Adnan
Qazi Muhammad Adnan
Civil Judge-VI
Abbottabad

Order No.08
05.03.2019

Learned counsel for plaintiff while representative on behalf of NADRA present.

Learned counsel for plaintiff submitted written reply same is placed on file. File to come up for arguments on application on 15/3/2019.

Announced
05.03.2019

Adnan
Qazi Muhammad Adnan
Civil Judge-VI
Abbottabad

Order No.09
15.03.2019

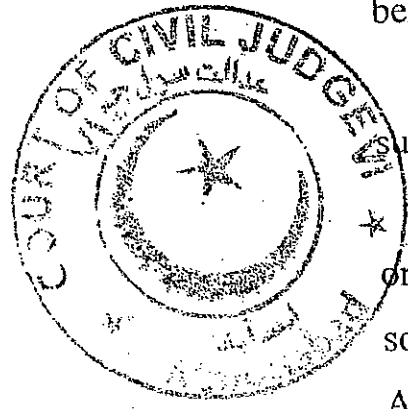
Learned counsel for plaintiff while representative on behalf of NADRA present.

Written statement on behalf of defendant No. 1 submitted same is placed on file.

Learned counsel for plaintiff advance their arguments on application while representative on behalf of NADRA sought time. Granted. File to come up on 26-3-2019

Announced
15.03.2019

Adnan
Qazi Muhammad Adnan
Civil Judge-VI
Abbottabad



Adnan
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TAMIR FARAZI
Supreme Court

26/3/19

فاضل وکیل فریقین صاحب
بحث بر درخواست اصلاح نام و تاریخ
پیدائش

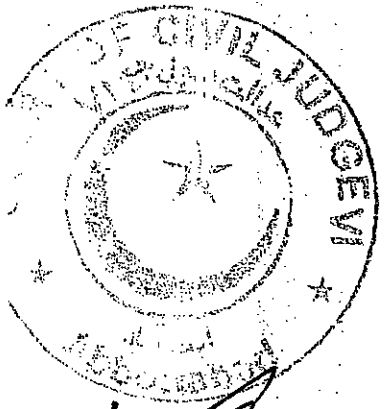
Qureshi
Muhammad Adnan
Civil Judge - VI
Abbottabad

Order No. 11
05.04.2019

Vide this order, this court intends to decide an application moved by defendant No. 2 for rejection of plaintiff. It is asserted in application that, plaintiff has no cause of action and this court lacks jurisdiction to entertain and adjudicate upon the matter. That the plaintiff is civil servant, therefore the matter in issue could only be resolve by service tribunal and finally prayed for rejection of plaintiff by accepting the application in hand. Plaintiff/respondent by filing written reply contested the application in hand. It is asserted in written reply that. this court got exclusive jurisdiction to entertain and adjudicate upon the matter, as the matter in issue is correction of name and date of birth of plaintiff in the record of defendants and finally prayed for dismissal of application in hand

Arguments advanced by both the parties through their learned counsel/representative in support of their contentions raised therein application and written reply, heard. Record perused.

Perusal of case file reveals that plaintiff is admittedly civil servant and serving in department of Forest; who through instant suit seeking correction of his name and date of birth in the record of NADRA as well as in his service record, for which proper forum is available to plaintiff for redressal of his grievance and under article 212 of Constitution of the Islamic Republic of Pakistan; this court lacks jurisdiction to entertain and adjudicate upon matter, as



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TAHIR FARAZ QADASI
Advocate
Supreme Court of

the matter in issue before this court is for correction of name and date of birth of plaintiff in his service record as well. Therefore, the application filed by defendant No: 2 stands accepted and subsequently plaint stands rejected. File be consigned to record room after due completion and compilation.

Announced
05.04.2019

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Qazi

Qazi H. AD

Qazi

Qazi Muhammad Adnan
Civil Judge-VI,
Abbottabad



Handwritten signature

No. 13570 Date 17-10-2020

Sevan
20-10-2020
20-10-2020

Signature
ATTESTED TO BE
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ARAZ KHAN
Advocate
Supreme Court of Pakistan

**IN THE COURT OF QAZI MUHAMMAD ADNAN, CIVIL JUDGE-VI,
ABBOTTABAD**

Suit No: 479/1
Date of Institution: 01.12.2018
Date of Decision: 05.04.2019

Mehboob Ellahi S/o Chiriyah Khan R/o Kahan Khurd PO Bakote presently
Banda Batang PO Banda Paghwarian Tehsil and District Abbottabad.
..... (PLAINTIFF)

VERSUS

1. DFO Department of Forest Abbottabad.
 2. District Incharge Officer NADRA Abbottabad.
-(DEFENDANT'S)

SUIT FOR DECLARATION & MANDATORY INJUNCTION

Plaintiff brought this suit against defendants for correction of his name and date of birth. This suit came up for final disposal before this court on 05th day of April-2019 in presence of *Mr. Ihtisham Ali advocate*, learned counsel for the plaintiff, while defendants through representative.

It is ordered that: the application filed by defendant No. 2 u/o VII Rule 11 CPC, stands accepted and subsequently plaint stands rejected.

Announced
05.04.2019

Qazi
(Qazi Muhammad Adnan)
Civil Judge-VI,
Abbottabad

MEMORANDUM OF COST

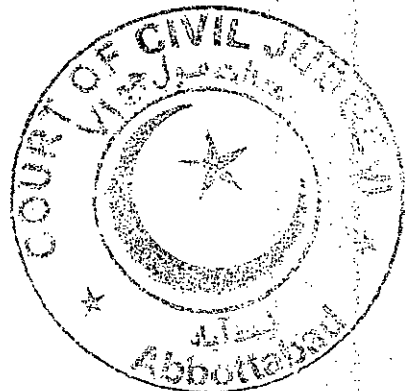
PLAINTIFF	COST OF PLAINT	DEFENDANT
Nil	Stamp for court fee	Nil
Nil	Publication fee	Nil
Nil	Total	Nil

Given under my hand and seal of the court on 05th day of April-2019.

Announced
05.04.2019

Qazi
(Qazi Muhammad Adnan)
Civil Judge-VI,
Abbottabad

Adnan
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Advocate
Supreme Court of



(51) (27) (50)

Annexure "51"

BEFORE THE COURT OF DISTRICT JUDGE ABBOTTABAD

Mehboob Elahi s/o Chairia Khan r/o Khun Khurd P.O Bakot presently r/o Banda Batang P.O Phagwariyan, Tehsil and District Abbottabad.

Appellant

Versus

Signature

Superintendent to District & Sessions Judge Abbottabad 11-9-19

- 1. DFO Forest Department Abbottabad
- 2. District In charge Officer Nadra Abbottabad

Respondents

APPEAL AGAINST JUDGMENT/ORDER AND DECREE OF THE LEARNED

CIVIL JUDGE VI ABBOTTABAD DATED 05/04/2019 THROUGH WHICH

PLAINT OF THE APPELLANT/PLAINTIFF WAS REJECTED UNDER ORDER

7 RULE 11 CPC.

PRAYER:

On acceptance of appeal judgment/order and decree of the learned Civil Judge VI Abbottabad dated 05/04/2019 may graciously be set aside and case be remanded for recording evidence and be decided on merits.

RESPECTFULLY SHEWETH;

- 1. That judgment/order and decree of the honorable lower court below is against the law and facts and which is not tenable in the eyes of law and liable to be set aside by this honorable court. Attested copies of plaint, written statement of defendant number no.1, application under order 7 rule 11, attested copy of replication, judgment/order and decree are annexed with.
- 2. That judgment/order is due to mis-reading and non-reading of pleadings as per judgment it has wrongly been mentioned in judgment that plaintiff is a serving person and serving in department of forest, while plaintiff/appellant is not serving person rather he has been retired from the service in the year 2004. After retirement no one should be considered as civil servant. This presumption of the learned lower court is against the law and facts which requires immediate interference by this honorable court.

115/13

11/09/19

11/10/2023

393
893

20 OCT 2019

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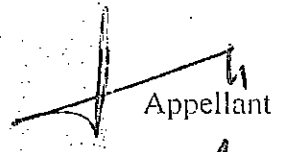

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Supreme Court of Pakistan
District Judge
Abbottabad 10-9-19

3. That suit of the plaintiff/appellant is for declaration for correction of name and date of birth and in this regard only civil court has got jurisdiction to decide the matter and make a declaration. Service tribunal has got no jurisdiction in the matter of declaration for correction of name and date of birth, the learned lower court was misconceived in this regard.
4. That correct name of the plaintiff is Mehboob Elahi which is correctly being mentioned in revenue record and identity card and also in pension documents. Which is only wrongly being mentioned Muhammad Mahboob in the record of Forest Department which requires correction in the record of Forest Department and also the date of birth mentioned in the documents as 1944 is wrong and correct date of birth is 1942 and both these reliefs required declaration by the civil court after recording evidence.
5. That the honorable higher courts have never appreciated the short cuts rather they are of the view that cases should be decided on merits.
6. Other points will be discussed at the time of arguments.
7. That appeal is within time.

It is therefore prayed most respectfully that by setting aside the judgment/order and decree of the honorable lower court be remanded the case for recording evidence and decision on the merits of the case.

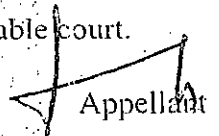
Through


Appellant

Tahir Faraz Abbasi
Advocate Supreme Court of Pakistan

Dated: 07/09/2019

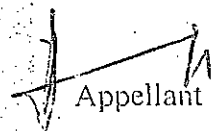
VERIFICATION:


Verified on oath that contents of the appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable court.


Appellant

Addresses of the parties:

Addresses of the parties mentioned in the appeal are correct.


Appellant


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Advocate
Supreme Court of Pakistan

(3) (2) (2) (52)

BEFORE THE COURT OF DISTRICT JUDGE ABBOTTABAD

Mehboob Elahi s/o Chairia Khan r/o Khun Khurd P.O Bakot presently r/o Banda Batang P.O Phagwariyan, Tehsil and District Abbottabad.

Appellant

Versus

3. DFO Forest Department Abbottabad
4. District In charge Officer Nadra Abbottabad

5

Superintendent of
District & Sessions Judge
Abbottabad 11-9-19

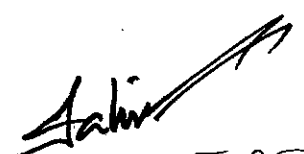
Respondents

APPEAL

AFFIDAVIT

I, Mehboob Elahi s/o Chairia Khan r/o Khun Khurd P.O Bakot presently r/o Banda Batang P.O Phagwariyan, Tehsil and District Abbottabad do solemnly affirm and declare that no suit, appeal, revision or review are pending before any other court except this appeal and contents of the appeal are correct as per my knowledge.

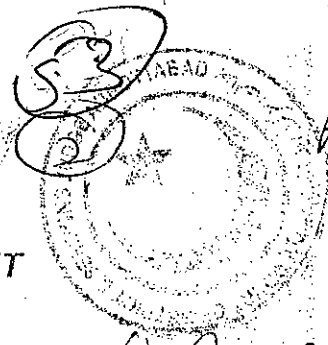

Appellant


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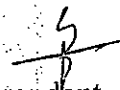

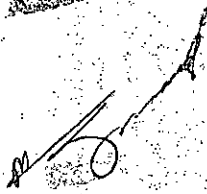
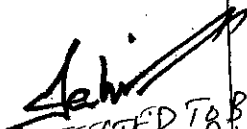
FORM "A"
FORM OF ORDER SHEET



Annexure
"1/1"
Annexure 9

Court of US/13 ADJ-II Ato

Case No _____

Serial No of Order or Proceedings	Date of Order or Proceedings	Order or other proceedings with Signatures of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
<p>115/13</p> <p>11/09/19</p> <p>11/10/2020</p> <p>393</p> <p>287</p>	<p>11.09.2019</p> <p>11/09</p>	<p>Civil appeal presented by Mr. Tahir Farraz Abbasi, Advocate. Vakalatnama duly checked. Submitted for order.</p> <p style="text-align: right;">  Superintendent District & Sessions Judge Abbottabad </p> <p>Entrusted to learned ADJ-II for order</p> <p style="text-align: right;">  11.09.2019 DISTRICT & SESSIONS JUDGE ABBOTTABAD </p> <p style="text-align: center;">  To be a True Copy </p> <p style="text-align: center;">  ATTESTED TO BE TRUE COPY TAHIR FARAZ ABBASI Advocate Supreme Court of Pakistan </p>

Order-02
13.09.2019



(21) (54)

Instant Civil appeal received from the court of learned District Judge, Abbottabad. It be registered.

Learned counsel for the appellant present, verifies the contents of memorandum of appeal. The same is checked with the checklist. The case is one in which prima facie appeal lies, be registered in the relevant register of Civil Appeals.

From the contents of memorandum of appeal, the court prima facie has territorial subject and personal jurisdiction. The memo of appeal prima facie appears to be properly valued for the purpose of court fee and jurisdiction, proper court fee is not affixed and this court has pecuniary jurisdiction.

Heard on preliminary points. Points raised need consideration. Admitted for regular hearing. Record be requisitioned and notice be issued to the respondents. To come up for attendance of respondents on 14.10.2019. Appellant is directed to affix the requisite court fees on or before the date fixed.

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Syed Zahid Shah
Additional District Judge-II,
Abbottabad

Or-2
14-10-19

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Advocate
Supreme Court of Pakistan

این فیصلہ پر عملدرآمد فرمائیں
جو ادریس کاغذ پر سائنڈ ہے اور وہ عین حقیقت ہے
میرا بلوچہ ہے۔ یہاں پر عملدرآمد فرمائیں
11-11-19
(Syed Zahid Shah)
Additional District & Sessions Judge-II
Abbottabad



Ord No. 03
11.11.2019

Counsel for the appellant present. Clerk of the counsel for respondent No. 1 present. Respondent No. 1 submitted application for setting aside ex-parte proceedings on 08.11.2019 copy whereof is given to appellant. To come up for reply/arguments on 07.12.2019.

(Syed Zahid Shah)
Additional District Judge-II,
Abbottabad

OT-04
7-12-19

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JUDGE

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Order---04
07.12.2019

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Appellant alongwith counsel present. Respondents through counsel also in attendance. Counsel for respondent on 11.11.2019, submitted an application for setting aside ex-parte proceedings initiated against them vide order dated 14.10.2019. Reply of the application is submitted today by the learned counsel for appellant.

Learned counsel for the appellant who got no objection upon acceptance of the same and placed signatures on application.

Since parties can join the proceeding at any stage before its conclusion. Moreover, adjudication on merit would serve the ends of justice. Counsel for the appellant has got no objection on acceptance of application for setting aside ex-parte proceedings. As such application for setting aside ex-parte proceedings is accepted and the ex-parte proceedings against respondents are hereby set-aside.

To come up for arguments on 16.01.2020.

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Advocate
Supreme Court of Pakistan

Zahid
(Syed Zahid Shah)
Additional District Judge-II,
Abbottabad

OR - 5
16-1-20

Handwritten notes in Urdu script, including a date 17-2-20.

(Syed Zahid Shah)
Additional District & Sessions Judge-II
Abbottabad

(56) (57)

0-6
17.2.2020
وکیل مدعی حاضر - ملا محمد مد علی صاحب
کے ذمہ نامہ وکیل مدعی سے ملے ہوئے۔ طلبہ
کے ذمہ نامہ وکیل مدعی سے ملے ہوئے۔
25.2.2020
AD J II, Abbottabad

05-07
25.2.20

رکستہ ذمہ نامہ وکیل مدعی سے ملے ہوئے
سے ملازمہ - ملا محمد صاحب سے
24-3-20
(Syed Zahid Shah)
Additional District Sessions Judge-II
Abbottabad

Stamp: Additional District Sessions Judge-II, Abbottabad

N-R 24.03.2020

Due to declared c/virus holiday.

Presence as before / File to come up

for previous proceedings on 29.04.2020.

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N-R
29.4.20

وکیل مدعی حاضر - ملا محمد مد علی صاحب
کے ذمہ نامہ وکیل مدعی سے ملے ہوئے۔
18.6.20
وکیل مدعی حاضر - ملا محمد مد علی صاحب
کے ذمہ نامہ وکیل مدعی سے ملے ہوئے۔
16.7.20

05: 8
18.6.20

(Syed Zahid Shah)
Additional District Sessions Judge-II

34

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زکینہ بیگم کے خلاف عدالت کی فیصلہ کی درخواست
میں سے رجسٹرڈ عدالت کی درخواستیں۔ درخواستیں

O-9
16.7.20

رجسٹرڈ عدالت میں 9-9-20

(Syed Zahid Shah)
Additional District & Sessions Judge-II
Abbottabad

اپیلٹ ایبلٹی کاغذ۔ عدالت رجسٹرڈ کاغذ۔
وکس رجسٹرڈ کاغذ۔ عدالت رجسٹرڈ کاغذ۔ وکس

O-10
8.8.2020

رجسٹرڈ کاغذ۔ عدالت 9-18-2020

ADJ II, ABBOTABAD

اپیلٹ ایبلٹی کاغذ۔ وکس رجسٹرڈ کاغذ۔ عدالت
وکس رجسٹرڈ کاغذ۔ عدالت 9-30-2020

O-11
18.8.2020

ADJ II, ABBOTABAD

وکس رجسٹرڈ کاغذ۔ عدالت رجسٹرڈ کاغذ۔ عدالت
officers meeting - 10-30-2020

O-12
30.8.2020

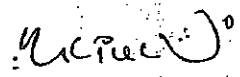
ADJ II, ABBOTABAD


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Advocate
Supreme Court of Pakistan

ORDER
01.10.2020

1. Clerk of counsel for the parties present.
2. Arguments already heard and record perused.
3. Vide my detailed judgment of today, separately placed on file, it is held that though the appeal is not maintainable, however, the impugned order is modified and instead of rejection of plaint of the appellant/plaintiff, the learned trial court is directed to return the plaint to the extent that when a civil court lacks jurisdiction under Order-7 Rule 10 CPC, the proper way would have been to return the plaint instead of dismissal of the suit on the question of jurisdiction and the appellant/plaintiff is directed to approach the competent forum for redressal of his grievances.
4. File be consigned to the Record Room after its necessary completion and compilation.

Announced
01.10.2020


(Syed Zahid Shah)
Additional District Judge-II,
Abbottabad


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TANVIR FARAZ ABBASI
Supreme Court of Sindh

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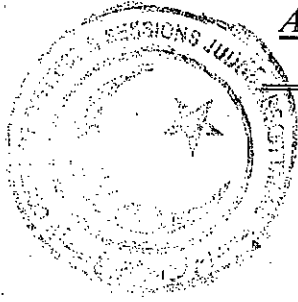
1-10-2019

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Annullee J

IN THE COURT OF SYED ZAHID SHAH
ADDITIONAL DISTRICT JUDGE-II, ABBOTTABAD



✓ Civil Appeal No. 115/13 of 2019

✓ Date of institution13.09.2019

✓ Date of Decision01.10.2020

*Mehboob Elahi s/o Chairia Khan r/o Khun Khurd P.O
Bakot presently r/o Banda Batang, P.O Phugwariyan,
Tehsil & District Abbottabad.*

(APPELLANT)

V E R S U S

(1) *DFO Forest Department Abbottabad.*

(2) *District In Charge Officer NADRA, Abbottabad.*

(RESPONDENTS)

J U D G M E N T

1. This appeal was filed by the appellant against the order & decree dated 05.04.2019, passed by the then learned Civil Judge VI, Abbottabad, in civil suit No. 479/1 of 2018, whereby the learned trial Court rejected the plaint of the plaintiff under Order 7 Rule 11 of the Civil Procedure Code, 1908.

2. It is prayed that by acceptance of the present appeal, the impugned order and decree be set aside and the case be remanded to the learned trial court for decision afresh on merits.

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897

1-10-2019

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TAMER FARAZ KHAN
Captains Court

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3. Briefly stated facts of the case are that plaintiff instituted Civil suit No. 479/1 on 01.02.2018, against defendants for declaration and mandatory injunction to the effect that his correct name is Mehboob Elahi s/o Chairia Khan and similarly, his correct date of birth is 10.06.1942, whereas in the record of the defendant No. 1 (DFO), the same was wrongly entered as Muhammad Mehboob and NIC No as 121-44-059948 while in the record of defendant No.2/NADRA his date of birth is entered as 1944, which are wrong, illegal, against the facts and ineffective upon the rights of the plaintiff and are liable to be corrected.


4. Defendants No. 1 & 2 being summoned appeared before the court and contested the suit. Defendant No. 1 submitted written statement while defendant No.2 submitted an application under Order 7 Rule 11 CPC.

5. Thereafter, the parties were heard on said application and the learned trial Court by accepting the application of defendant No. 2, rejected the plaint of the plaintiff under Order 7 Rule 11 CPC through the impugned order and decree dated 05.04.2019. Feeling aggrieved from the stated order & decree, the appellant has preferred instant appeal.

6. I have heard arguments on behalf of parties and consulted the record available on file.

U.C.P. No. 479/1
1-10-2020




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(62)

(1)

(Handwritten mark)

7. Undoubtedly, the appellant/plaintiff Mehboob Illahi served in the Forest Department and was retired from the post of forester on 01.11.1991 as per his pension record. The pension record available at page No. 38 of the record of the learned trial court, divulges the entry of his name as Muhammad Mehboob and his date of birth is entered as 10.06.1942. It so happened that the appellant/plaintiff applied for correction of his name as Mehboob Illahi through daily Nawa-e-Waqt and accordingly, the NADRA issued him CNIC on 22.04.2014 with entry of his name as Mehboob Illahi and his date of birth was entered as 1944. The appellant/plaintiff served the forest department for so many years and as discussed above, he was appointed and recruited with the name of Muhammad Mehboob and date of birth as 10.06.1942. Through the name of Muhammad Mehboob, he received his salaries and after his retirement had received pension since long but for the last two years, the department has stopped payment of pension.

8. The learned trial court while passing the impugned order, has rejected the plaint of the plaintiff and has held that "plaintiff is seeking correction in his name & date of birth in his service record for which this court lacks jurisdiction to entertain and adjudicate upon the matter".

U.C.P. No. 1-10-2020

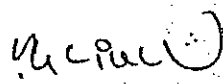
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TAMIR FARAZ ABBASI
Advocate
Supreme Court of Pakistan

9. Accordingly, though the appeal is not maintainable, however, the impugned order is modified and instead of rejection of plaint of the appellant/plaintiff, the learned trial court is directed to return the plaint to the extent that when a civil court lacks jurisdiction under Order-7 Rule 10 CPC, the proper way would have been to return the plaint instead of dismissal of the suit on the question of jurisdiction and the appellant/plaintiff is directed to approach the competent forum for redressal of his grievances.

10. File of the learned trial Court be sent forthwith along with copy of this judgment whereas file of this court be consigned to Record Room after completion and compilation.

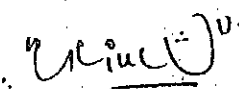
Announced
01.10.2020

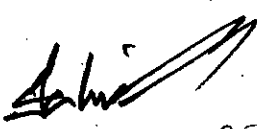

(Syed Zahid Shah)
Additional District Judge-II,
Abbottabad

CERTIFICATE

Certified that this judgment consists of four (04) pages. Each page has been read, checked and signed after making necessary corrections therein.

Dated: 01.10.2020.


(Syed Zahid Shah)
Additional District Judge-II,
Abbottabad


ATTESTED TO BE
TRUE COPY
TANIR FARAZ ABBASI
Advocate
Supreme Court of Pakistan

(DECREE SHEET)

IN THE COURT OF SYED ZAHID SHAH
ADDITIONAL DISTRICT JUDGE-II, ABBOTTABAD

Civil Appeal No. 115/13 of 2019

Date of institution13.09.2019

Date of Decision01.10.2020

Mehboob Elahi s/o Chairia Khan r/o Khun Khurd P.O Bakot presently
r/o Banda Batang, P.O Phugwariyan, Tehsil & District Abbottabad.

(APPELLANT)

V E R S U S

(1) DFO Forest Department Abbottabad.

(2) District In Charge Officer NADRA, Abbottabad.

(RESPONDENTS)

This appeal was filed by the appellant against the order & decree dated 05.04.2019, passed by the then learned Civil Judge VI, Abbottabad, in civil suit No. 479/1 of 2018, whereby the learned trial Court rejected the plaint of the plaintiff under Order 7 Rule 11 of the Civil Procedure Code, 1908.

Prayer:- It is prayed that by acceptance of the present appeal, the impugned order and decree be set aside and the case be remanded to the learned trial court for decision afresh on merits.

MEMORANDUM OF APPEAL.

Supreme Court of Mehboob Ellahi..... (Appellant)

Versus

DFO Forest Department and other..... (Respondents)

ATTESTED TO BE
TRUE COPY
TAHIR FARAZ ABUSI
Advocate

The above-named appellant submitted appeal to this court against the impugned order & decree dated 05.04.2019 of the Court of learned Civil Judge-VI, Abbottabad, for the reasons as detailed in the grounds of appeal.

This appeal came up for hearing on 1st day of October, 2020, before this Court in presence of learned counsel for the parties.

It is ordered that: - "though the appeal is not maintainable, however, the impugned order is modified and instead of rejection of plaint of the appellant/plaintiff, the learned trial court is directed to return the plaint to the extent that when a civil court lacks jurisdiction under Order-7 Rule 10 CPC, the proper way would have been to return the plaint instead of dismissal of the suit on the question of jurisdiction and the appellant/plaintiff is directed to approach the competent forum for redressal of their grievances."

[Signature]
Additional District Judge-II
Abbottabad

COST OF APPEAL

<u>Appellant</u>	<u>Contents</u>	<u>Respondents</u>
0.00	Cost of Appeal	0.00
0.00	Court fee	0.00
0.00	Stamp on appeal	0.00
0.00	Stamp for power	0.00
0.00	Publication Fee	0.00
0.00	Pleaders fee	0.00
0.00	Service of Process	0.00
0.00	Miscellaneous	0.00
00.00	Total	0.00

Note: -

Given under my hand and seal of the court this 1st Day of October,

2020.

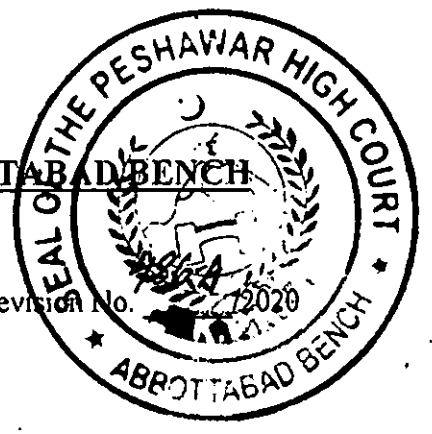
[Signature]
Additional District Judge-II
Abbottabad

[Signature]
ATTACHED TO BE
TRUE COPY
TAJIB FARAZ ARBASI
Sd/- Court
2020.

101 Annexe K⁰¹

068

BEFORE THE PESHAWAR HIGH COURT, ABBOTTABAD BENCH



Civil Revision No. 72020

Mehboob Elahi s/o Chiria Khan r/o Khaan Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad.

..... Petitioner

Versus

1. DFO Forest Abbottabad
2. District Officer Nadra Abbottabad

..... Respondents

REVISION PETITION AGAINST THE JUDGMENT AND DECREE OF THE LEARNED ADDITIONAL DISTRICT JUDGE II ABBOTTABAD DATED 01/10/2020 VIDE WHICH THE LEARNED APPELLATE COURT UPHELD THE JUDGMENT/ORDER WITH MODIFICATION PASSED BY THE LEARNED TRIAL COURT CIVIL JUDGE VI ABBOTTABAD DATED 05/04/2019 BY RETURN OF PLAINT INSTEAD OF DISMISSING THE APPLICATION UNDER ORDER 7 RULE 10

Certified to be True Copy
 EXAMINER
 26 JAN 2021
 Peshawar High Court Atd Bench
 Authorized Under Se: 75 Evid Ordns.

PRAYER: ON ACCEPTANCE OF THE INSTANT REVISION PETITION JUDGMENT/ORDER AND DECREE OF BOTH THE COURTS BELOW MAY BE SET ASIDE BY AND CASE BE REMANDED FOR RECORDING EVIDENCE AND BE DECIDED ON MERITS

No. 7201
29/12/2020

FILED TODAY
 ADDITIONAL REGISTRAR
 PESHAWAR HIGH COURT
 ABBOTTABAD BENCH
 29/12

RESPECTFULLY SHEWETH;

No. 7213
30/12/2020

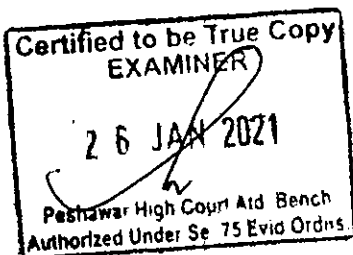
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 ADDITIONAL REGISTRAR
 PESHAWAR HIGH COURT
 ABBOTTABAD BENCH
 30/12

Brief facts giving rise to instant revision petition are as below:

1. That the petitioner was employee of forest department and retired as Forester in the year 2004. Copy of pension book is annexed as annexe "A".

(66)

2. That petitioner instituted a suit for declaration for correction of the name in the pension book as Mehboob Elahi instead of Muhammad Mehboob and correction of date of birth in identity card by the respondent.
3. That instead of correction of the name in the pension book respondent no. 1/forest department stopped the pension and respondent no. 2 made correction in the ID card, however wrongly being maintained the date of birth in the ID card.
4. That petitioner submitted applications to defendants /respondents for correction of name and date of birth respectively but instead of making decision/order appellant was verbally directed to institute a civil suit and on their direction civil suit was instituted.
5. That plaintiff instituted a declaratory suit as per law, defendant/respondent no. 1 submitted written statement while defendant no. 2 submitted application for rejection of plaint under order 7 rule 11 of the plaint to which reply was submitted by the plaintiff. Attested copy of the plaint, written statement, application and replication are annexed as annexure "B", "C", "D" and "E" respectively.
6. That the learned Civil Judge VI Abbottabad accepted the application under order 7 rule 11 CPC and rejected the plaint. Copy of order is annexed as annexure "F".
7. That petitioner preferred appeal against the order of learned Civil Judge VI Abbottabad dated 05/04/2019, the appellate court dismissed the appeal being not maintainable with the modification that instead of rejecting plaint under order 7 rule 11 plaint be returned to the plaint under order 7 rule 10 CPC. Attested copy of appeal and judgment thereon are annexed as annexure "G" and "H".
8. That feeling aggrieved by the judgment/order and decree of both the learned lower courts below petitioner preferred revision petition before this Honorable Court inter alia on the following grounds:



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ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
e30/2

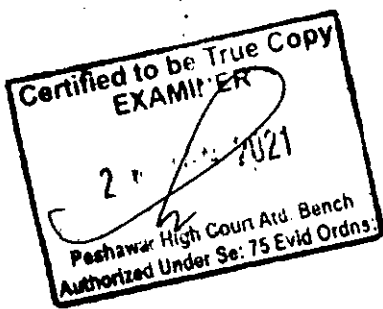
GROUNDS

- a. That judgment/order and decree of both the learned lower courts below are against the law and facts and

3 (67)

circumstances of the case and as such untenable both in law and equity which is result of non-reading and mis-reading of pleadings and application of proper law.

- b. That judgments of both the courts below are at variance on the point of law, the Learned Civil Judge VI Abbottabad rejected the plaint under order 7 rule 11 CPC while the Learned Appellate Court ordered for return of plaint under order 7 rule 10 of CPC, hence requires immediate interference by the this Honorable Court.
- c. That suit of the plaintiff/petitioner is for declaration for correction of name and date of birth and in this regard only Civil Court has got jurisdiction to decide the matter and make a declaration. Service Tribunal has got no jurisdiction in the matter of declaration for correction of name and date of birth, the learned lower court was misconceived in this regard.
- d. That the learned Civil Judge VI Abbottabad wrongly observed that plaintiff is a civil servant and is serving in forest department, while as per pleadings and facts plaintiff/petitioner is not serving person rather he has been retired from the service in the year 2004. After retirement no one should be considered as civil servant, this presumption of the learned lower court is against the law and facts which is liable to be set aside by this Honorable Court.
- e. That correct name of the plaintiff is Mehboob Elahi which is correctly been mentioned in the revenue record and identity card and also in pension documents which is wrongly been mentioned Muhammad Mehboob in the record of forest department, which requires correction in the record of forest department and also the date of birth mentioned in the document as 1944 is wrong and correct date of birth is 1942 and both these reliefs requires declaration by the Civil Court after recording evidence (needless to mention that correction of date of birth is not for beneficial purpose as petitioner is of age of 78 years).
- f. That act of the respondent no. 1 of stopping pension from July 2017 only on the pretext of name is illegal and highly objectionable on the part of defendant/respondent no.1 which requires release of the pension of the petitioner immediately by this Honorable Court.
- g. That the learned appellate court without perusing the pleadings of the parties and without giving any reasons only ordered return of plaint instead of rejection of plaint.



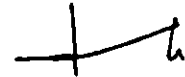
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ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
23/12

(4) (68)

- h. That apart from above mentioned reasons there are so many objections/points which will be raised at the time of arguments before this Honorable Court.
- i. That revision petition is exempted from the court and is well within time and this August court has got jurisdiction.

It is therefore humbly prayed that by accepting the revision petition the judgment/order and decree of the lower courts below be set aside and case be remanded for recording evidence and be decide on merits and also release of pension be ordered.



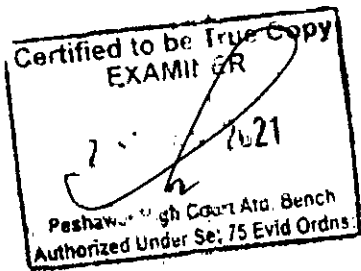
MEHBOOB ELAHI

Through

Dated: 07/12/2020



TAHIR FARAZ ABBASI
Advocate Supreme Court of Pakistan



VERIFICATION:

Verified on oath that the contents of the instant revision petition are true and correct to the best my knowledge and belief and nothing has been concealed from this Honorable Court.

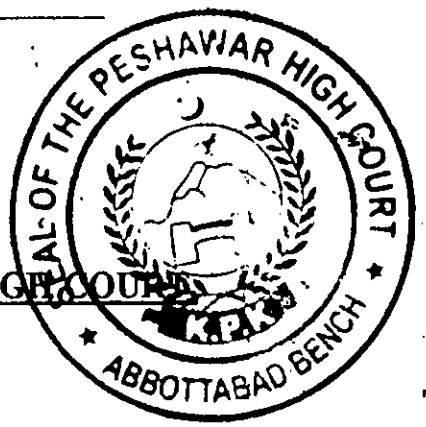


Petitioner

RE-FILED TODAY

ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
02/12

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**BEFORE THE HONORABLE PESHAWAR HIGH COURT
ABBOTTABAD BENCH**

Mehboob Elahi

Versus

DFO and another

REVISION PETITION

AFFIDAVIT

I, Mehboob Elahi s/o Chiria Khan r/o Khaan Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad do hereby solemnly affirm and declare on oath that the contents of the instant revision petition are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honorable Court.


DEPONENT

13701-4893787-7

AFFIDAVIT

No: 7006/644 Receipt No: 644

that the above was verified on Solemn
Oath before me on this
25 day of Dec 2020 by
Mehboob Elahi s/o Chiria Khan
R/o Wazir Khan who is personally known to me
and is personally known to me

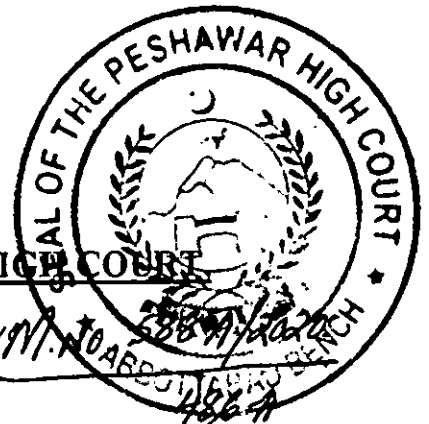
Oath Commissioner
(Additional Registrar)
Peshawar High Court Abbottabad Bench

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EXAMINER
26 JAN 2021
Peshawar High Court Atd. Bench
Authorized Under Se. 75 Evid Ordns.

RE-FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
23/12

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BEFORE THE HONORABLE PESHAWAR HIGH COURT
ABBOTTABAD BENCH

CR No. _____/2020

Mehboob Elahi s/o Chiria Khan r/o Khan Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad.

..... Petitioner

Versus

1. DFO Forest Abbottabad
2. District Officer Nadra Abbottabad

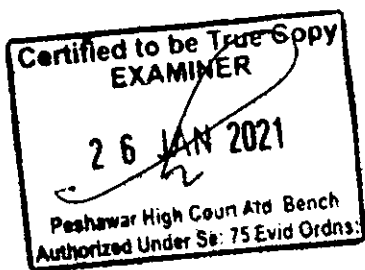
..... Respondents

REVISION PETITION

APPLICATION FOR RELEASE OF PENSION OF THE PETITIONER TILL DECISION OF THE INSTANT PETITION

Respectfully Sheweth;

1. That the above titled revision petition is filed before this Honorable Court and this application may be considered as integral part of this petition.
2. That petitioner/plaintiff was serving in forest department and was retired in the year 2004.
3. That due to stoppage of pension from July 2017, petitioner is living in hand to mouth as there is no other source of income of the petitioner.
4. That petitioner has a prima facie case and balance of convenience also lies in favor of the petitioner.
5. That without releasing pension the petitioner shall suffer irreparable loss.



RE-FILED TODAY.
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
23/12

(7) (7)

It is therefore very humbly requested that till decision of the instant petition pension of the petitioner be released.


Petitioner

Through


Dated: 07/12/2020

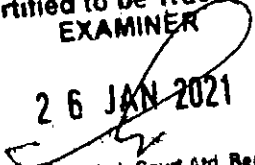


TAHIR FARAZ ABBASI

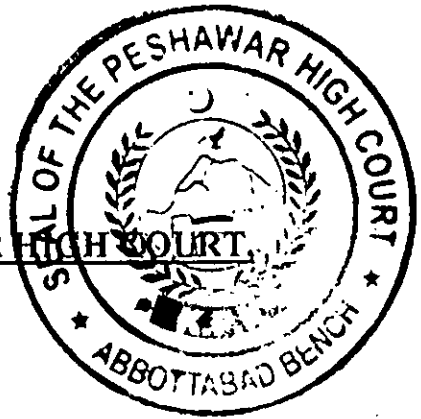
Advocate Supreme Court of Pakistan

RE-FILED TODAY


ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
23/12

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EXAMINER
26 JAN 2021

Peshawar High Court Atd. Bench
Authorized Under Se: 75 Evid Ordns

72



**BEFORE THE HONORABLE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH**

Mehboob Elahi

Vs.

DFO and another

REVISION PETITION

APPLICATION

AFFIDAVIT

I, Mehboob Elahi s/o Chiria Khan r/o Khaan Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad do hereby solemnly affirm and declare on oath that the contents of the instant Application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honorable Court.

[Signature]
DEPONENT

AFFIDAVIT

S.No: 7007/65 Receipt No: 658

Certified that the above was verified on Solemn
affirmation 10/1 before me on this

21 day of Dec 2020 by
Mehboob Elahi s/o Chiria Khan
R/o Banda Batang PO Banda Pakwariyan
Abbottabad Tehsil and District Abbottabad
who is personally known to me.

[Signature]
Oath Commissioner
(Additional Registrar)
Peshawar High Court Abbottabad Bench

24-12-20

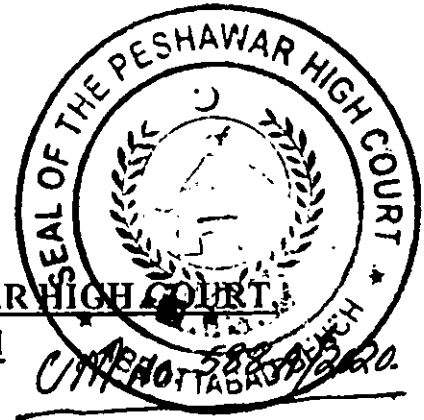
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26 JAN 2021
Peshawar High Court Atd Bench
Authorized Under Sec. 75 Evid Ordns

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[Signature]
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
[Signature]

"Annexure L"

73



BEFORE THE HONORABLE PESHAWAR HIGH COURT
ABBOTTABAD BENCH

CR No. 486-A /2020

Mehboob Elahi s/o Chiria Khan r/o Khan Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad.

..... Petitioner

Versus

1. DFO Forest Abbottabad
2. District Officer Nadra Abbottabad

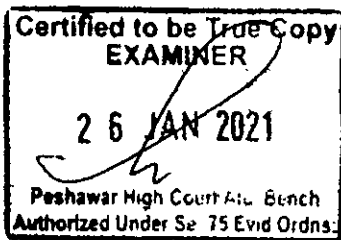
..... Respondents

REVISION PETITION

APPLICATION FOR RELEASE OF PENSION OF THE PETITIONER TILL DECISION OF THE INSTANT PETITION

Respectfully Sheweth;

1. That the above titled revision petition is filed before this Honorable Court and this application may be considered as integral part of this petition.
2. That petitioner/plaintiff was serving in forest department and was retired in the year 2004.
3. That due to stoppage of pension from July 2017, petitioner is living in hand to mouth as there is no other source of income of the petitioner.
4. That petitioner has a prima facie case and balance of convenience also lies in favor of the petitioner.
5. That without releasing pension the petitioner shall suffer irreparable loss.



RE-FILED TODAY.

**ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH**
23/12

74

It is therefore very humbly requested that till decision of the instant petition pension of the petitioner be released.

Petitioner

Through

Dated: 07/12/2020

TAHIR FARAZ ABBASI

Advocate Supreme Court of Pakistan

RE-FILED TODAY

ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
07/12

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EXAMINER
26 JAN 2021
Peshawar High Court Arc Bench
Authorized Under Sec. 75 Evid Ordns.

75

BEFORE THE HONORABLE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH

Mehboob Elahi
Vs.
DFO and another

REVISION PETITION
APPLICATION

AFFIDAVIT

I, Mehboob Elahi s/o Chiria Khan r/o Khaan Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad do hereby solemnly affirm and declare on oath that the contents of the instant Application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honorable Court.

[Signature]
DEPONENT

Certified to be True Copy
EXAMINER
26 JAN 2021
Peshawar High Court Atd Bench
Authorized Under Sec: 75 Evid Ordns

AFFIDAVIT

S.No: 7007/65 Receipt No: 650
I, Mehboob Elahi s/o Chiria Khan
do hereby solemnly affirm and declare on oath that the above was verified on Solemn
affirmation at before me on this
21 day of Dec 2020 by
Mehboob Elahi s/o Chiria Khan
R/o Banda Batang PO Banda Pakwariyan
Abbottabad Tehsil and District Abbottabad
who is personally known to me.

[Signature]
Oath Commissioner
(Additional Registrar)
Peshawar High Court Abbottabad Bench

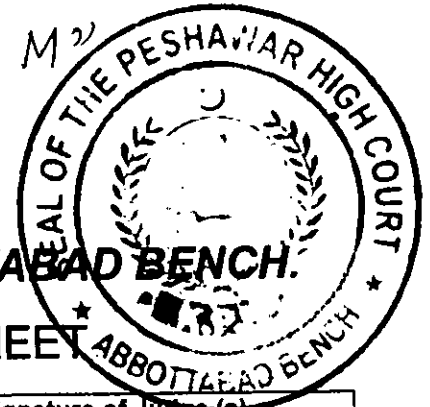
24-12-20

RE-FILED TODAY

[Signature]
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH

(76)

"Annexure M"



PESHAWAR HIGH COURT, ABBOTTABAD BENCH.

FORM OF ORDER SHEET

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
25.01.2021	<p><u>C.R.No.486-A/2020.</u></p> <p>Present: Mr. Tahir Faraz Abbasi, Advocate for the petitioner.</p> <p style="text-align: center;">***</p> <p><u>SHAKEEL AHMAD, J.-</u> After arguing the case at great length, learned counsel for the petitioner stated that he would not press this petition provided the petitioner is allowed to file appeal before Khyber Pakhtunkhwa Service Tribunal for correction of his name and date of birth. May do so, if so desired. Dismissed being not pressed.</p> <p style="text-align: right;"><i>[Signature]</i> JUDGE</p>

Certified to be True Copy
EXAMINER
26 JAN 2021
Peshawar High Court Abbottabad Bench
Authorized Under Sec 75 Evid Ordns



No	98500
Date of Presentation of Application	25-1-2021
No of Pages	121-
Copying Fee	481-
Urgent Fee	21-
Total	502-
Name of Copyist	[Signature]
Date of Preparation of Copy	26-1-2021
Date of Intimation	26-1-2021
Date of Delivery of Copy	26-1-2021

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
APPEAL NO. 3418 OF 2021.**

Mehboob Elahi s/o Chiria Khan r/o Khann Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad.

...APPELLANT

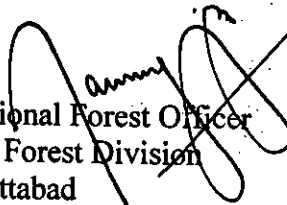
VERSUS

1. DFO Forest Abbottabad.
2. District Officer Nadra Abbottabad.

...RESPONDENTS

INDEX

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1	Reply of the service appeal.	1-2	
2	Affidavit	3	


Divisional Forest Officer
Galis Forest Division
Abbottabad

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
APPEAL NO. 3418 OF 2021.**

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...APPELLANT

VERSUS

1. DFO Forest Abbottabad .
2. District Officer Nadra Abbottabad.

...RESPONDENTS

Parawise comments on behalf of respondent No. 01

Respectfully Sheweth:

Preliminary Objection.

1. The appeal is not maintainable in the present form.
2. The appellant has no locus standi to bring the present appeal.
3. The appellant is estopped by his own conduct to bring the present appeal.
4. The appeal is poor on account of non-joinder of necessary party.
5. The appeal is time barred.
6. The Honorable Tribunal has got no jurisdiction to entertain the appeal.
7. That the appellant has not come to this honorable service tribunal with clean hands.
8. That the appellant has filed the instant service appeal just to pressurized the respondents.

FACTS

Para wise comments are as under:-

1. Pertains to record.
2. The appellant was appointed in Forest Department in the name of Muhammad Mehboob s/o Chirya Khan and consequently retired during 1991. During the entire service, the appellant has not applied for the purpose and after retirement, the same is beyond the jurisdiction of Respondent No. 1. So far the correction of date of birth is concern, the same is not related with the respondent No. 1.
3. Incorrect. After retirement from the service, the respondent No. 1 has no concern with the pensioner regarding correction of name but the same is lying with the District Account Office.
4. Incorrect.
5. Pertains to record.
6. Pertains to record.
7. Pertains to record.

8. Pertains to record.

9. Pertains to record.

GROUNDS

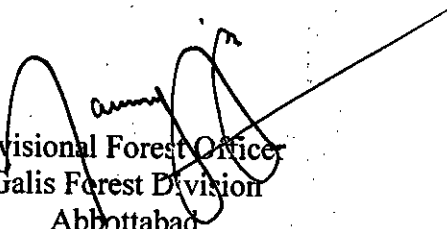
a. Incorrect.

b. The appellant was retired from the Forest Department and as per record i.e. Pension Book, the name of appellant is reflected as Muhammad Mehboob s/o Chirya. The appellant has served 30 years in Forest Department and during entire service not applied for changing name. Furthermore, consequent upon his retirement during 1991, he kept on receiving pensioner benefits against the said name i.e. Muhammad Mehboob. The reason of changing of name at this belated stage is best known to the appellant.

c. Incorrect. Respondent No. 1 has no concern with revenue record.

d. Incorrect.

It is therefore, humbly prayed that on acceptance of above reply the instant appeal may graciously be dismissed with costs.


Divisional Forest Officer
Galis Forest Division
Abbottabad

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
APPEAL NO. 3418 OF 2021.**

Mehboob Elahi s/o Chiria Khan r/o Khann Khurd, Mouza Bakot, presently resident of Banda Batang PO Banda Pakwariyan, Tehsil and District Abbottabad.

...APPELLANT

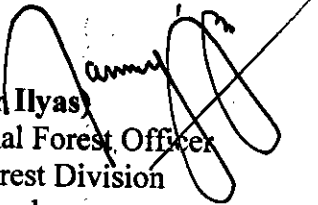
VERSUS

1. DFO Forest Abbottabad.
2. District Officer Nadra Abbottabad.

...RESPONDENTS

COUNTER AFFIDAVIT

That I, Mr. Taimur Ilyas DFO Galis Forest Division do hereby solemnly affirm and declare on oath that the contents of our written reply in the writ petition is correct to the best of my knowledge and record, nothing has been concealed from the honorable court.


(Taimur Ilyas)
Divisional Forest Officer
Galis Forest Division
Abbottabad



GOVERNMENT OF PAKISTAN
MINISTRY OF INTERIOR
NATIONAL DATABASE & REGISTRATION AUTHORITY
Zonal Headquarters Abbottabad



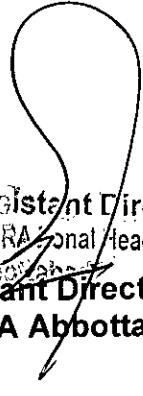
Ramlina Hotel Building, Shuohada-e-Hazara Chowk
Tel No. 0992-9310388

Ref: No. 1/10/2020/ (Atd)

Dated: 30-11-2021

AUTHORITY LETTER

Mr. Jawad Khan Designation "Deputy Assistant Director / Mr, Farooq Khan (Legal) of this office is hereby directed to attend the Court K.P. S.T. Peshawar for pursuing, recording the evidence / exhibit the record as well as finally discussion in the case of Mehboob Elahi Versus NADRA Abbottabad on 30-11-2021.


Assistant Director
NADRA Zonal Headquarters
Abbottabad
Assistant Director
NADRA Abbottabad

Family Tree

Alpha Family Beta Family Gamma Family

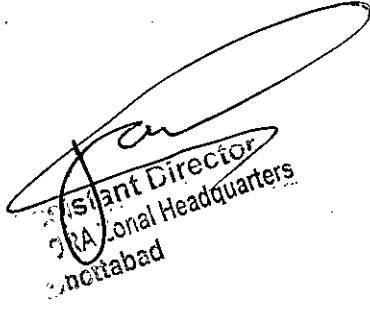
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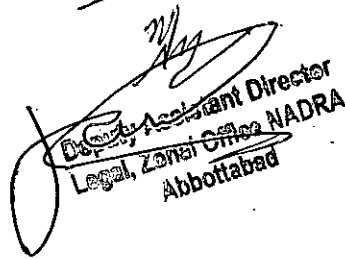
Assistant Director
RA Zonal Headquarters
Faisalabad

Relation	Photograph	Citizen Number	Type	Name	Father Name	Mother Name	Date of Birth	Status
+ Self	Photo	13101- *****-7	CNIC	محبوب الہی	چڑیا خان	اسم جان	0/0/1944	Processed
+ Wife	Photo	61101- *****-6	CNIC	ریشم بی بی	محمد فیروز	گلاب جان	0/0/1949	Processed
+ Daughter	Photo	61101- *****-6	CNIC	رضیہ سلطانہ	محبوب الہی		1/1/1970	Processed
+ Daughter	Photo	61101- *****-4	Smart ID	عظمیٰ طیب	محبوب الہی	ریشم بی بی	17/12/1981	Processed
+ Son	Photo	61101- *****-9	Smart ID	اعجاز الہی	محبوب الہی	ریشم جان	5/7/1983	Processed

Adnan
Deputy
Deputy Assistant Director
Legal, Zonal Office NADRA
Abbottabad

AbbotabadHouse/Flat No. **null**Mohallah/Street **null**Sector **null**Neighborhood **null**Further Details **null**City/Village **بانڈہ
بٹنگ**Tehsil/Sub-
Division **ایبٹ آباد**Post Office **بانڈہ
پهگواڑیاں**Postal Code **null**District/Country **ایبٹ آباد**


Assistant Director
NADRA Zonal Headquarters
Abbotabad

Adveel

Deputy Assistant Director
Legal, Zonal Office NADRA
Abbotabad



National Database and Registration Authority
Research and Development

Technology

homepage regtrack change password family tree minor info personal info logout

DRO/SRC

Form No AB00081270
DRO/NSRC Abbotabad
CNIC/NIC No. 121-93-059942
RG4 Book/Token 262
RG4 Receipt N/A
Fee Deposit 75
Application Type New NIC
Urgent/Normal Normal
Booking Date 13-03-2004

DE/SRC

Status
Date
Data Entered at NSRC 13-03-2004
Data sent for Consolidation Batch No: 19-03-2004
111-04-0116-N

Data Warehouse

DW Loading Date 09-04-2014
Batch No. 102201119025
NIC No. 121-93-059942
NIC Processing Status P - Processed for CNIC
NIC Processing Date 10-07-2018
CNIC No. 13101-4893787-7
Expiry Date N/A
Export Batch 20140422010n
Export Status E -
Export Date 22-04-2014

Assistant Director
NADRA Zonal Headquarters
Abbotabad

Printing Department

Status
Date
Card Sent to Distribution Box No: 672267
30-07-2004

Distribution

Status
Date
Card received at Distribution 30-07-2004
Card sent to Dist. Point DRO **ABBOTTABAD** 30-07-2004
Card received at Dist. Point NSRC **Abbotabad** lying at pigeon hole **C** at location **176** 28-08-2004
Card Accepted by Applicant **MEHBOOB ELAHI** from NSRC 07-10-2004

Personal Information

Name **محبوب الہی**
Father Name **چڑیا خان**
Mother Name **اسم جان**
Date of Birth **00-00-1944**
Spouse Name **ریشم بی بی**

https://verification.nadra.gov.pk/regtrack/persTrans.jsp?uid_a=APB0812700180U1f2004... 26-Nov-21

Deputy Assistant Director
Legal, Zonal Office NADRA
Abbottabad

کے مطابق درست کرنے کا مجاز ہے۔

5- فقرہ محتاج ثبوت ہے۔

6- فقرہ تیرا درست ہے۔

7- فقرہ محتاج ثبوت ہے۔

8- فقرہ محتاج ثبوت ہے۔

9- فقرہ حائقی ہے۔

لہذا استدعا ہے کہ اپیل پر خلاف مدعا علیہ
نمبر ۵ خارج فرمائے جاوے

المرقوم

نادرا پٹرولنگمانڈہ

17/1/2020

Assistant Director
NADRA Zonal Headquarters
Abbottabad

تصدیق ہے۔

تصدیق کی جاتی ہے کہ

حمد حرثیہ جو اب اپیل

درست و صحیح ہیں اور کوئی

چینہ مختص نہیں ہے

Assistant Director
NADRA Zonal Headquarters
Abbottabad

بخدمت جناب چیئرمین سروس ٹریبونل کے پی کے پشاور

محبوب الہی بنام ٹی۔ ایف۔ او فارسٹ ایڈٹ ایبل

جواب دعویٰ فنیات مدعا علمہ نمبر ۲

جناب عالی جواب دعویٰ فنیات ٹریبونل سروس ایڈٹ ایبل

نادرہ خیر میں عمر ہے

1. فقرہ محتاج ثبوت ہے۔

2. یہ کہ محکمہ نادرہ نے اپنی پالیسی کے مطابق

مدعی کا نام محمد محبوب سے محبوب الہی کر دیا

ہے۔ جبکہ عمر کی تبدیلی کے لئے سروس بک

میں درستگی درکار ہوتی ہے کیونکہ مدعی

سرکاری ملازم ہے۔ محکمہ نادرہ کے پاس

مدعی کا نام محبوب الہی ولد چیریا خان اور

تاریخ پیدائش 1944 کا اندراج موجود ہے۔

3. مدعی کی عمر کی درستگی سروس بک میں

درستگی سے مشروط ہے (نقل نادرہ ریکارڈ صفحہ ۴)

4. یہ اگر محکمہ فارسٹ آفس سروس بک

میں درستگی کرے تو نادرہ اپنی پالیسی

Before the Hon, Service Tribunal Abbottabad

Mehmood Elahi vs D.F.O

Appeal

List of Legal Heirs of
Mehmood Elahi deceased.

Respectfully Sheweth!

1. That Appellant Mehmood Elahi has been
died during pendency of this Appeal. List
of Legal Heirs is as below.

- ① Rahim Bibi widow
- ② Raza Elahi
- ③ Egan Elahi ^{son} ④ Ragia Sultana
- ⑤ Uzma Tayyab (daughters)

17 / 01 / 2022

Son of
Appellant
Through
Counsel
Tahir

مخدمت جناب چیئرمین سروس ٹریبونل کے پی کے پٹنجاور

محبوب الہی بنام ڈی۔ ایف۔ او فارسٹ ایڈٹ آبلہ

جواب درعویٰ فتیاب مدعی علیہ نمبر 2

جناب عالی جواب درعویٰ فتیاب ~~ب~~ ڈسٹرکٹ آفیسر

نادرہ ٹریبل میں عمر ہے

1. فقرہ محتاج ثبوت ہے۔

یہ کہ محکمہ نادرہ نے اپنی پالیسی کے مطابق

مدعی کا نام محمد محبوب سے محبوب الہی کر دیا

ہے۔ جبکہ عمر کی تبدیلی کے لئے سروس بک

میں درستگی درکار ہوئی ہے کیونکہ مدعی

سرکاری ملازم ہے۔ محکمہ نادرہ کے پاس

مدعی کا نام محبوب الہی ولد چیریا خان اور

تاریخ پیدائش 1944 کا اندراج موجود ہے۔

3. مدعی کی عمر کی درستگی سروس بک میں

درستگی سے مشروط ہے (نقل نادرہ ریکارڈوں سے)

4. یہ اگر محکمہ فارسٹ آفس سروس بک

میں درستگی کر دے تو نادرہ ابھی پالیسی

کے مطابق درست کرنے کا مجاز ہے۔

5- فقرہ محتاج ثبوت ہے۔

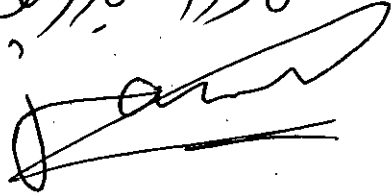
6- فقرہ تبرا درست ہے۔

7- فقرہ محتاج ثبوت ہے۔

8- فقرہ محتاج ثبوت ہے۔

9- فقرہ مائلوفی ہے۔

لہذا استدعا ہے کہ اپیل پر خلاف استدعا علیہ
تبرہ خارج فرمائے جاوے

المرفوع
نادرا تدریب غامدہ


17/4/2020

تصدیق ہے۔
تصدیق کی جاتی ہے کہ
حمد مرتب جواب اپیل
درست و صحیح میں اور کوئی
چیز متفق نہیں ہے





National Database and Registration Authority
Research and Development

Technology

homepage regtrack change password family tree minor info personal info logout

DRO/SRC		DE/SRC		Data Warehouse	
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DRO/NSRC	Abbotabad	Data Entered at NSRC	13-03-2004	Batch No.	102201119025
CNIC/NIC No.	121-93-059942	Data sent for Consolidation Batch No:	19-03-2004	NIC No.	121-93-059942
RG4 Book/Token	262	111-04-0116-N		NIC Processing Status	P - Processed for CNIC
RG4 Receipt	N/A			NIC Processing Date	10-07-2018
Fee Deposit	75			CNIC No.	13101-4893787-7
Application Type	New NIC			Expiry Date	N/A
Urgent/Normal	Normal			Export Batch	20140422010n
Booking Date	13-03-2004			Export Status	E -
				Export Date	22-04-2014

Printing Department		Distribution		Personal Information	
Status	Date	Status	Date	Name	محبوب الہی
Card Sent to Distribution Box No:	30-07-2004	Card received at Distribution	30-07-2004	Father Name	چڑیا خان
672267		Card sent to Dist. Point DRO ABBOTTABAD	30-07-2004	Mother Name	اسم جان
		Card received at Dist. Point NSRC Abbotabad lying at pigeon hole C at location 176	28-08-2004	Date of Birth	00-00-1944
		Card Accepted by Applicant MEHBOOB ELAHI from NSRC	07-10-2004	Spouse Name	ریشم بی بی

https://verification.nadra.gov.pk/regtrack/persTrans.jsp?uid_a=APB0812700180U1f2004... 26-Nov-21

Deputy Assistant Director
Legal, Zonal Office NADRA
Abbottabad

Abbotabad

House/Flat No. **null**

Mohallah/Street **null**

Sector **null**

Neighborhood **null**

Further Details **null**

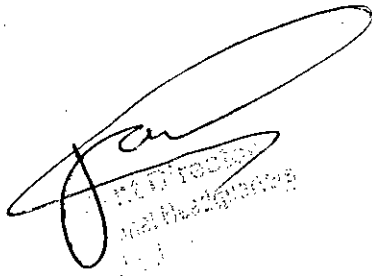
City/Village **بانڈہ
بٹنگ**

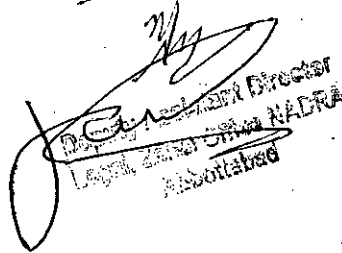
Tehsil/Sub-Division **ایبٹ آباد**

Post Office **بانڈہ
پہگواڑیاں**

Postal Code **null**

District/Country **ایبٹ آباد**


REGISTRATION
AND MANAGEMENT

Adress

Director
Legal Zone Office NADRA
Abbotabad

Family Tree

Director
NADRA
Abdullah Khan

Search: _____

Alpha Family Beta Family Gamma Family

Relation	Photograph	Citizen Number	Type	Name	Father Name	Mother Name	Date of Birth	Status
+ Self	Photo	13101- *****-7	CNIC	محبوب الہی	چڑیا خان	اسم جان	0/0/1944	Processed
+ Wife	Photo	61101- *****-6	CNIC	ریشم بی بی	محمد فیروز	گلاب جان	0/0/1949	Processed
+ Daughter	Photo	61101- *****-6	CNIC	رضیہ سلطانہ	محبوب الہی		1/1/1970	Processed
+ Daughter	Photo	61101- *****-4	Smart ID	عظمیٰ طیب	محبوب الہی	ریشم بی بی	17/12/1981	Processed
+ Son	Photo	61101- *****-9	Smart ID	اعجاز الہی	محبوب الہی	ریشم جان	5/7/1983	Processed

Adnan

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Deputy Assistant Director
Legal, Zonal Office NADRA
Abdullah Khan