



of “Ali Hassan son of Photo” and such correction may be permanently made in the NADRA record.

- c) Costs of the suit be borne by the defendants.
- d) Any other relief as may deem fit and proper under the circumstances of the case.

3. After service of notice respondents/defendants contested the matter filed written statement, wherein denied the assertions of plaintiff and contended that the applicant/plaintiff is not entitled for any relief claimed and suit is fit to be dismissed.

4. Out of pleading of the parties the learned trial court framed following issues;-

### **ISSUES**

1. Whether the suit is not maintainable?
2. Whether the plaintiff is entitled for correction of his name as “Jairam son of Photo Mal” instead of “Ali Hassan son of Photo” in the record of NADRA/CNIC?
3. Whether the plaintiff is entitled to the relief claimed?
4. What should the Decree be?

5. Both the parties adduced their evidence and the learned trial court after hearing the arguments of both parties, dismissed the suit of the applicant/plaintiff vide Judgment dated 23-01-2024 and Decree dated 24-01-2024. The applicant preferred Appeal against the said judgment and decree of trial Court, which was dismissed by learned Appellate Court.

6. Learned counsel for the applicant submits that the impugned judgment and decree passed by the learned Appellate Court are opposed to law, facts and material available on record; that the learned trial Judge also travelled beyond four corners of plaint while recording the impugned judgment, which is not permissible for deciding the suit; that the learned trial Judge has also not appreciated the fact that the applicant/plaintiff has prima facie established a good cause of action so appearing from averments of plaint; that the name of applicant was wrongly mentioned in his CNIC and it is his fundamental right to get his name corrected as per his academic and service record; which was not considered by learned Courts below and that the impugned judgment and decree is not sustainable in the eyes of law hence liable to be set aside.

7. Conversely, learned counsel for the respondents supports the impugned judgment and decree passed by learned appellate Court. Learned counsel for the respondents submits that the learned appellate court has rightly dismissed the appeal of applicant and that the impugned judgment and decree dated 29.05.2024 are fully in accordance with law and evidence on record. Therefore, the instant revision application is not maintainable under law and is liable to be dismissed.

8. I have heard learned counsel for the parties and have gone through the material available on record.

9. Initially in the year 2010, the appellant/plaintiff obtained his CNIC with the name as Jairam son of Photo. Later on his conversion to Islam in the year 2014 he was issued fresh CNIC by the NADRA Authorities on submission of "Islam Acceptance Certificate" with the adoption of his name as Ali Hassan son of Photo in his CNIC. Surprisingly, for more than a period of nine years, he consistently used the CNIC with the name of Ali Hassan son of Photo and after lapse of colossal gap, he intended to change this established identity. He has miserably failed to satisfy this court that the respondents/ defendants issued him CNIC with incorrect particulars inadvertently so as to make them liable for issuance of fresh CNIC to him with the particulars so prayed by him. He wanted to change his identity on the basis of oral evidence only and he couldn't produce any document except oral evidence before the trial court while it is well settled proposition of law that mere oral assertion isn't sufficient to rebut the documentary evidence similarly a man can tell lie but document cannot whereas a document can only be rebutted by a document having superior legal value. The appellant/plaintiff obtained his CNIC on 07.11.2014 with name Ali Hassan son of Photo which he retained & used for more than nine years till filing the suit and during this long period, he slept in deep slumber and never complained about his incorrect name. Apart from above, he also failed to produce any confidence inspiring evidence to make him entitled for issuance of CNIC as sought by him, but on the contrary, it appears that he has filed the suit with some ulterior motives and in such circumstances, the trial court rightly dismissed the suit of the appellant/plaintiff.

10. In view of above the instant Civil Revision Application is dismissed by upholding the judgment dated 29.05.2024 passed by the learned District Judge, Tharparkar at Mithi in Civil Appeal No.15/2024. However, the appellant may approach the NADRA officials for any way out in the rules

to relief for himself. NADRA is at liberty to consider the appellant on humanitarian grounds and may decide his matter accordance with law.

11. These are the detailed reasons of my short order dated 09.03.2026.

**JUDGE**

"Adnan Ashraf Nizamani"