ORDER SHEET.
ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Intra Court Appeal No. 181 of 2021
Saud Khan
Versus
Federal Board through Chairman FBI&SE, Islamabad.

S.No. of order/ proceeding	Date of order/ proceeding	Order with signature of Judge and that of parties or counsel where necessary.
(01)	08.04.2021	Appellant in person.

TARIQ MEHMOOD JAHANGIRI, J: Through the instant Intra Court Appeal, the appellant assailed the Judgment dated 11.03.2021, passed in writ petition No. 2413 of 2020, whereby, the learned single Judge-in-Chambers has dismissed the writ petition filed by the petitioner.

02. Brief facts of the case are that the appellant claims his actual date of birth is 16.03.1991 which has been incorrectly mentioned as 19.10.1988 in his S.S.C. Certificate and despite his efforts, the respondent has not corrected his date of birth in the relevant record. The appellant filed a writ petition with the prayer for issuance of direction to the respondent for changing his date of birth from 19.10.1988 to 16.03.1991 in the relevant record but the same was dismissed by the learned Single Judge-in-Chambers vide impugned judgment dated 11.03.2021, hence the instant Intra Court Appeal.

03. Appellant has stated that the learned Single Judge-in-Chambers has not taken into consideration the factual controversy despite the fact that the respondent submitted the written

report and thereafter the appellant submitted reply in rebuttal of the said report filed by the respondent. It has further been contended that the impugned judgment is not sustainable according to law and is liable to be set aside.

04. Arguments heard, record perused.

05. The appellant filed a complaint for correction of his date of birth before the Federal Ombudsman, which was closed vide order dated 06.03.2019. The appellant filed representation before the President of Pakistan which was also dismissed vide order dated 18.09.2019. Thereafter he filed a civil suit for declaration for the correction of his date of birth before learned Civil Court, Bannu which was decreed vide Judgment dated 08.07.2020. Being dis-satisfied with the said judgment and decree, the respondent filed an appeal which was allowed by the Additional District Judge-VI, Bannu vide judgment and decree dated 27.08.2020. The appellant has neither challenged the order passed by the President nor judgment and decree passed by the learned Additional District Judge-VI, Bannu before any forum.

06. In the instant matter, civil suit, civil appeal, complaint before Federal Ombudsman and representation before the President of Pakistan have been filed. Matter has already been decided in different forums, further remedies to challenge the said decisions are available to the appellant.

07. Law is very much clear in this regard,

Section 3 of the Law Reform Ordinance provides that *"no appeal shall lie, if the application brought to High Court under Article 199 arises out of "Any Proceedings" in which the law applicable provided at least one appeal or one revision or one review to any Court, Tribunal or authority against the "Original Order".* Therefore, the instant appeal is hit by the afore-referred provision of Law Reforms Ordinance. Reliance is place on *"Deputy Commissioner / Administrator, District Council Attock and another V. Lawrencepur Woolen Textile Mills Ltd" (1999 SCMR 1357), "Iqan Ahmed Khurram V. Government of Pakistan and others" (PLD 1980 SC 153), "Mst. Karim Bibi and others V. Hussain Bakhsh and another" (PLD 1984 Supreme Court 344), "Muhammad Abdullah V. Deputy Settlement Commissioner, Centre-I, Lahore" (PLD 1985 Supreme Court 107).*

08. In view of foregoing discussion, instant Intra Court Appeal is not maintainable, hence the same is dismissed in limine being merit less.

(AAMER FAROOQ)
JUDGE

(TARIQ MEHMOOD JAHANGIRI)
JUDGE

Bilal