

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Const. Petition No.D-1701 of 2023

Date	Order with signature of Judge
	1. For orders on office objection at flag `A` 2. For hearing of main case
<u>02-05-2024</u>	Mr. Shahzad Dreho, Advocate for the Petitioner Mr. Dareshani Ali Haider 'Ada', Deputy Prosecutor General Mr. Agha Ather Hussain Pathan, Assistant Advocate General

ORDER

Muhammad Iqbal Kalhoro,J:- Petitioner has filed this petition seeking change in the name of his father from Ali Bux Shaikh to Bashir Ahmed Shaikh. He has based his case on birth certificate and Nikahnama reflecting his stance available at page-11 and 25 respectively.

2. His case has been opposed by learned DAG and AAG. They submit that in none of the necessary documents name of petitioner's father as Bashir Ahmed Shikh has been recorded. They further submit that even otherwise, this question cannot be determined by this court being controversial in nature requiring evidence. They further submit that as far as birth certificate relied upon by the petitioner is concerned, it has been issued only on **26.09.2023**, two months before filing of the petition. Whereas, there is no report regarding authenticity of Nikahnama. Moreover, these documents are to be submitted before a civil court for scrutiny and some evidence is required to determine their genuineness.

3. We agree with the contentions raised by learned DAG and AAG and find this petition not maintainable. If petitioner wants to relief as above, he may approach to a Civil Court seeking declaration in accordance with law. This being position, we dismiss this petition.

JUDGE

JUDGE

