

IN THE PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)



W.P.No.13419-P/2026.

Mst.Marwa Bibi and another,

vs.

Federation of Pakistan and others

For Petitioners:

Ms.Sana Gulzar, Advocate.

For Federation:

M/s Taimur Khan & Ishaq
Khalil, DAG.

For NADRA:

Mr.Muhammad Mubarak Jan
& Shahid Imran Gigyani,
A.Ds (Legal).

Date of hearing:

29.09.2026

JUDGMENT

FARAH JAMSHED, J.- Through the instant petition filed under Article 199 of Islamic Republic of Pakistan 1973, petitioners have prayed for following relief:-

- i. Declare the petitioner No. 2 entitled to grant of Pakistan Origin Card (POC) / Nationality by virtue of his marriage to petitioner No. 1 who is Pakistani national.
- ii. Direct the respondents to issue POC/nationality to petitioner No. 2 by deciding the application of petitioner No.2 without any hurdles by following the dictates of this Hon'ble Court laid down in similar cases by entertaining the application.

ATTESTED
EXAMINER
Peshawar High Court

2. As per the contents of the instant writ petition, petitioner No.01, Mst.Marwa Bibi, claims to be a

Pakistani National on the strength of her CNIC, who contracted marriage with petitioner No.02, Wilayat Khan, an Afghan National. It is averred that, on the strength of this marital union, petitioner No.02 applied for the issuance of a Pakistan Origin Card (POC) in his favour, but his case was not considered by the respondents' authorities. Resultantly, the petitioners have approached this Court through the present writ petition seeking the relief, so claimed.

3. Arguments heard. Record perused.
4. In similar nature cases, this court has already issued directions to the NADRA to decide cases regarding issuance of POCs on the basis of marriage with Pakistani citizens in accordance with Section 11 of the NADRA Ordinance, 2002, read with Rules 4 and 5 of the National Database and Registration Authority (Pakistan Origin Card) Rules, 2002. Similarly, for naturalization, petitioners shall fulfill the statutory requirements in accordance with the Naturalization Act, 1926, and the Rules framed thereunder. The respondents including NADRA on receipt of such application shall process and decide the cases at earliest but not later than six (06) months.

ATTES
EXAM
Peshawar

5. Meanwhile, in order to safeguard the unity of the family, no coercive action resulting in deportation of any family member shall be taken until the application is finally decided by NADRA or upon expiry of six months from the date of filing of such application, whichever occurs earlier.

6. Above in view, this writ petition is disposed of accordingly.

Announced.

29.09.2026

(A.K.Khan, C.S)

((DB) Hon'ble Mr. Justice Wiqar Ahmad
Hon'ble Ms. Justice Farah Jamshed

JUDGE
JUDGE