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<u>In the Court of Principal Senior Civil Judge, Bayad, Dist. Arvalli.</u>		
	<u>Regular Civil Suit No. 14/ 2026</u>	
		Exh No.
Plaintiff :	Parmar Tusharkumar Vinubhai, Age:- 18, Occupation :- Study, Reside at :- Near Fulbai mandir, Bayad, Dist. Arvalli.	
	<i>VERSUS</i>	
Defendant	1. Secretary Shree, Gujarat Secondary Education Board, Gandhinagar. 2. Principal Shree, Shree N. H. Shah, High School Bayad, Reside at :- Bayad gaam road, Bayad, Dist. Arvalli.	
Appearance :-	Ld. Advocate Mr. S. D. Zala for the plaintiff	
	No any advocate present for the deffendant side	
Subject :-	Suit for Declaration and Injunction	

:: J U D G M E N T ::

The brief facts of the suit is that.....

- (1) The plaintiff is residing at the above mentioned address and currently studied B.A. in collage at Vatrak. Plaintiff further submitted that, the plaintiffs are two brothers, plaintiff is younger brother and his elder brother's name is Parmar Rohitkumar Vinubhai, he further avered that, plaintiff had studied indefendant no. 2 School upto standard 10 and thenafter for further studies school leaving certificate LC no. 30/2024-25 General Register No. 10079 were issued by deffendant no. 2 and in that School Leaving Certificate the caste and sub-caste of the plaintiff is written as "Hindu Parmar" which is not correct.
- (2) As, Plaintiff belongs to the Thakor community and by writing the caste and sub-caste Hindu Thakor plaintiff get government benefits and in his further studies therefore, sub-caste written in plaintiff's School Leaving Certificate may create many obstacles which have come to plaintiff's attention at present. It has become very important and necessary to correct the mistake regarding the caste and sub-caste of the plaintiff. If the mistake is not corrected, the plaintiff may face obstacles and difficulties in making a career in the future and may have to suffer serious losses and damages. And the plaintiff may suffer a great loss that cannot be compensated even with money. Therefore, it is important to correct the mistake and the reason for filing the present suit in this court has arisen. The

cause of action has arisen since the defendant no. 2 has given the LC to plaintiff and when we plaintiff came to know about the mistake, plaintiff went to the defendant no. 2 for correcting the LC and as defendant no. 2 has refused to correct it the reason for filing the present suit in this court has arisen. Hence, plaintiff has filed this suit to get Court order, to get rectify her sub-caste name in his school leaving certificate and have prayed to declare that plaintiff is belonging to sub-caste of Hindu Thakor and have also prayed to pass necessary order against defendant for amending his sub-caste which is wrongly mentioned in the column no. 2 of school leaving certificate as Hindu Parmar instead of Hindu Thakor and order to issue amended school leaving certificate.

(3) The defendant's were duly served with the summons notice with the aforesaid suit and as only defendant no. 2 had remained present and produced a pursis vide **Exh. 4** in form of reply and had submitted that they have no any objection if the aforesaid suit of the plaintiff is allowed.

(4) Plaintiff has produced oral as well as documentary evidence to support his case:-

-: Oral evidence:-			
Sr. No.	Deposition	Exh.	Date
1.	Parmar Tusharkumar Vinubhai	06	08-06-2026
2.	Parmar Rohitkumar Vinubhai	11	29-06-2026
3.	Parmar TRamilaben Vinubhai	12	29-06-2026

-: Documentary evidence:-			
Sr. No.	Particulars	Exh.	Date
1.	Copy of Leaving certificate of plaintiff issued by Deffendant no. 2	08	05-05-2025
2.	Aadhar Card.	09	
3.	Copy of Leaving certificate of plaintiff's brother issued by Deffendant no. 2	10	28-05-2018

(5) Defendant has neither cross-examined plaintiff nor produced any oral as well as documentary evidence hence plaintiff has filed the closing pursis at Exh. 13.

(6) Heard Ld. Advocate Mr. S. D. Zala for the plaintiff, while neither defendant nor his advocate has appeared for argument.

(7) For the final disposal of the suit, this Court has framed issues at Exh.5 which are as under:-

-: I S S U E S :-

1. Whether the plaitniff proves that, he belongs to "Hindu Thakor " sub-caste ?
2. Whether the plaintiff proves that, "Hindu Parmar" sub-caste is wrongly mentioned in his school Leaving Certificate ?
3. Whether the plaintiff is entitled for the relief claimed ?
4. What order and decree ?

(8) My answers and reasons for the aforesaid issues are as under :-

- 8.1 In Affirmative.
- 8.2 In Affirmative.
- 8.3 In Affirmative.
- 8.4 As per final order.

- :: REASONS :: -

- (9) **Issue No. 1 to 4:-** All issues are inter-connected to each other, and hence to avoid repetition of facts and evidence, the discussion of all issues are narrated together:-
- (10) The plaintiff has filed this suit to receive order of the Court, to rectify her sub-caste name in his school leaving certificate. **Plaintiff i.e. Parmar Tusharkumar Vinubhai has produced examination in chief under order 18 rule 4 of CPC vide Exh.06.** In this examination in chief, the plaintiff has submitted all the facts mentioned in the plaint. He has supported all the facts narrated in the Exh.01. The witness produced **vide Exh. 11 and Exh. 12** also supported plaintiff's case. If we considered the aforesaid chief examination on oath then it transpires that, as per the submissions of the plaintiff, her actual sub-caste is of Hindu Thakor but the defendant no. 2 i.e. Shree N. H. Shah High School Bayad have issued School Leaving Certificate wherein the sub caste of the plaintiff is mentioned as Hindu Parmar. Copy of the aforesaid leaving certificate is produced vide Exh.08. As per the submission of the plaintiff, her father was belonging to Hindu Thakor sub-caste and in support of this, the plaintiff have produced leaving certificate of his brother vide Exh.11 wherein it transpires that, the sub-caste which is mentioned in the aforesaid certificate is mentioned as Hindu Thakor. Considering the above factual matrix as well as documentary evidence, it transpires that, plaintiff's brother are belonging to sub-caste Hindu Thakor and hence the sub-caste of plaintiff is also Hindu Thakor but due to mistake, the defendant no. 2 have issued leaving certificate of Exh.08 to the plaintiff wherein her

sub-caste is mentioned as Hindu Parmar, thus, from all the above, the plaintiff have succeeded in proving that, she belongs to Hindu Thakor sub-caste and that the sub-caste of Parmar has been wrongly mentioned in his school leaving certificate of Exh.08 and hence, the findings for Issue No. 1 & 2 is in Affirmative.

(11) As such, the plaintiff have succeeded in proving Issue No.1 & Issue No.2 in their favor and also from the record, it transpires that, defendant no. 2 have passed a pursis vide Exh.04 wherein they have submitted that, they have no any objection with regards to relief claimed by the plaintiff and hence from all the above when plaintiff have succeeded in proving Issues in their favor and hence they are entitled for the relief claimed and resultantly my findings for Issue No.3 is in Affirmative and hence this Court passes the following order with regards to Issue No.4 in the interest of justice.

-:: Final Order ::-

1. The suit of the plaintiff is hereby allowed and it is declared that, the true sub-caste of plaintiff is "**Hindu Thakor**".
2. The defendant is directed to rectify the sub-caste in the leaving certificate issued to the plaintiff wherein his sub-caste is mentioned as Hindu Parmar instead of "**Hindu Thakor**".
3. The parties to bear their own costs.
4. Decree to be drawn accordingly.

Pronounced in Open Court on 07th July, 2026.

Place: Bayad

Date: 07/07/2026

[Vijay Chandulal Makwana]
Principal Senior Civil Judge & ACJM
Bayad, Dist: Arvalli.
Code No. GJ00997