

KAKB320022252022



IN THE COURT OF CIVIL JUDGE & JMFC, AFZALPUR.

:PRESENT:

Sri. ANIL AMATE

B.A., LL.B.(Hon's.)
Civil Judge & JMFC,
Afzalpur.

O. S. No.04/2023

Dated this the 11th day of March-2026

PLAINTIFF:

Amar S/o Annappa Bandagar,
Age: 20 years, Occ: Student,
R/o Udachan Hatti village,
Tq: Afzalpur, Dist: Kalaburagi.

(BY Sri.D.D.Deshpande. Advocate,)

//Versus//

DEFENDANTS:

1. The Deputy Commissioner,
Dist: Kalaburagi.
2. The Deputy Director Department of
Public Education Kalaburagi.
3. Shri Goudappagouda Patil
Education Institution,
Senior Primary School
Afzalpur.



4. The Headmaster,
Neo Nobel Nursery and Primary School,
Kalaburagi.
5. Vivek Vardhini Public School
Koralli Cross Kalaburagi road,
Tq: Aland, Dist: Kalaburagi.
6. Karnataka Arts College,
Dharwad.
7. The Block Education Officer,
Afzalpur, Dist: Kalaburagi.
8. The Block Education Office of
Education Officer Aland,
Dist: Kalaburagi.
9. The Deputy Commissioner,
Dharwad.
10. The Central Board of Secondary
Education (CBSC).

**(D-1, 2, 6 to 9 BY AGP)
(D-3 By Sri. C.S.H. Advocate,
D-4 Ex-parte, D5- By Sri. R.M.T.
Adv. & D-10 By Sri. S.B.W Advocate)**

Date of Institution of Suit : 25.11.2022

Nature of Suit : Suit for Declaration and
Mandatory Injunction



Date of commencement of recording of evidence :22.07.2025

Opinion of Judge : Suit is Decreed

Date of which judgment was pronounced : 11.03.2023

Total Duration : Years Months Days
-03- -03- -16-

**Civil Judge & JMFC,
Afzalpur.**

: J U D G E M E N T :

The plaintiff has instituted this suit for the relief of declaration to declare the name father of plaintiff as Annappa instead of Anil, as shown in the educational records of the plaintiff and consequential relief of mandatory injunction directing the defendants to make correction in the educational records of plaintiff.



2. The case of the plaintiff's in nutshell is as under:

It is averred in the plaint that, the name of plaintiff's father is Annappa. The plaintiff took admission in the Primary School in the School of defendant No.3 and his parents given the correct information to the defendant No.3 but the defendant No.3 at the time admission to first standard to 5th standard documents wrongly entered the name of father of plaintiff as Anil, thereafter same is continued entire his educational records. In the year 2022 third week of September the plaintiff has been collecting the first standard to 10th standard educational certificate for the obtain the certificate of 371 (J) then he came know about the his father name was wrongly entered as Anil instead of Annappa. The plaintiff requested and issued legal notice through his advocate the defendants for make rectification in the educational records but the defendants no to do same, hence the plaintiff constrained to institute this suit.



3. On service of suit summons, from this court. Defendant No.3, is appeared through his counsel and defendant No 1, 2, 6 to 9 are appeared through learned AGP and defendant No.3 and 5 have filed their written statement separately, 1, 2, 6 to 10 not filed their written statement, Defendant No.4 has been placed ex-parte.

4. In the Written statement the defendant No.3 has denied all the averments made in the plaint and contended that, on the negligence and mistake on the part of the parents of the plaintiff to enter the name of the father of plaintiff as per information given by them. The defendant No.5 has contended that as per the information provided by the parents of plaintiff, defendants have denied that the plaintiff has approached them for rectification in the school records. As such, there is no cause of action for the filling the suit. The suit of the plaintiff is barred by the limitation. Hence, prayed for the dismiss the suit with costs.



5. On the basis of pleadings and materials on record the following issues have been framed:

ISSUES

1. **Whether the plaintiff proves that his father name is Annappa?**
2. **Whether the plaintiff proves that his father's name has been wrongly mentioned in his school record as "Anil " instead of Annappa in the plaintiff's school records?**
3. **Whether the suit of the plaintiff is barred by limitation?**
4. **Whether the plaintiff is entitled for the relief as claimed for?**
5. **What order or decree?**

6. The plaintiff in order to prove his case, the himself examined as PW-1 and His father by name Annappa S/o Baburao Bandagar is examined as PW2 and got marked total 30 documents as per Ex.P-1 to 30. and closed plaintiff side evidence.

7. Heard both side.



8. The findings of this Court on the above issues are as below.

ISSUE NO.1 : In the Affirmative.
ISSUE NO.2 : In the Partly Affirmative.
ISSUE NO.3 : In the Affirmative.
ISSUE NO.4 : In the Affirmative.
ISSUE NO.5 : As per final order for the following:

REASONS :

9. **ISSUE NO.1 to 4:** Since these three issues are interconnected with each other therefore they are taken together for common discussion to avoid the repetition.

10. The plaintiff has instituted this suit against the defendants for the relief of declaration and mandatory injunction with respect of declaring and the correcting the name of plaintiff's father as Annappa instead of Anil in the educational records of plaintiff.



11. The plaintiff in order to substantiate his case himself got examined as PW-1 and PW 2 have filed affidavit in lieu of his chief examination, reiterating the plaint averments and has got marked document Ex.P.1 to 30 in support of the claim.

DOCUMENTS EXHIBITED ON BEHALF OF PLAINTIFF:

Ex.P-1 RoR standing in the name of Annappa, Ex.P-2 is migration certificate, Ex.P-3 is passing certificate, Ex.P-4 is income and caste certificate, Ex.P-5 OBC certificate, Ex.P-6 and 7 are Article 371(J) certificate, Ex.P-8 to 10 are study certificates, Ex.P 11 is birth certificate of plaintiff, Ex.P 12 is school transfer certificate, Ex.P 13 is PU Marks card, Ex.P 14 is SSLC Marks card, Ex.P 15 to 20 are Degree Marks card, Ex.P 21 voter ID, Ex.P 22 is Pan card, Ex.P 23 is Adhar card, Ex.P 24 is genealogy certificate, Ex.P 25 is copy of Bank pass book of plaintiff's father, Ex.P 26 is Family ration card, Ex.P 27 is Adhar card of plaintiff's father, Ex.P 28 is Adhar card of plaintiff's mother, Ex.P 29 is Adhar card of plaintiff's brother, Ex.P 30 is copy of pan card of plaintiff's father.



12. Appreciating the same, Ex.P.1 to 23 wherein the name of the plaintiff's father is mentioned as Anil. As per Ex.P 24 to 30 wherein the name of the plaintiff's father is appears as Annappa. The wrong entry of name of plaintiff's father has sought to be rectified, by way of declaration to that effect and to rectify his father name as Annappa in educational records by way of mandatory injunction.

13. The burden of proof lies on the plaintiff that to prove the name of his father is Annappa. In this regard the plaintiff has relied on the Ex.P 1 to 23 the name of father of plaintiff is appears to be as Anil, in the Ex.P.24 to 30 wherein these documents the name of the father of plaintiff shown as Annappa, the Ex.P1, 24 to 30 are substantiates that the name of the father of the plaintiff is Annappa, where as in Ex.P 2 to 23 the father name of plaintiff appears as Anil, to rebut the same the defendants have not examined any witnesses but produced any documents. As per the general register book copy the name of the father is shown as Anil.



The defendants are private institutions and government and public officers and there is no error on the part of the defendants. In respect of limitation concerned there is no evidence on the suit is barred by the limitation, the defendants not cross examined on the point of limitation, hence the contention taken by the plaintiff in respect wrong entry of his father name in the educational record, he came to know in the month of September 2022 is remained unchallenged. In view of the reasons stated in above, the change of name of the father of plaintiff in his educational records no way affects the administration or cause any inconvenience to any of the parties. Therefore this Court is of the opinion that the right plaintiff should be respected and his father name should be corrected in the educational records, therefore plaintiff is entitled for the relief as he claimed for. Therefore, this court has answered the Issue No.1 in affirmative, issue No.2 affirmative in part, issue No.3 & 4 in the Affirmative.



14. **ISSUE NO.5:** In view of the above, this court proceed to pass the following:

: O R D E R :

The suit of the plaintiff is hereby decreed.

It is hereby declared that, name of the plaintiff's father is **Annappa**.

The defendants are hereby directed to make necessary correction in the educational records of the plaintiff.

The plaintiff is at liberty to move an application before the concerned authorities for necessary corrections as per decree.

Draw decree accordingly.

(Corrected and revised and then pronounced in the open court on this 11th day of March-2026)

(ANIL AMATE)
CIVIL JUDGE & JMFC,
AFZALPUR.



: ANNEXURE :

WITNESSES EXAMINED ON BEHALF OF PLAINTIFF:

PW-1 : Amar S/o Anil Bandagar

DOCUMENT EXHIBITED ON BEHALF OF PLAINTIFF:

- Ex.P.1 : One R.T.C. extract
- Ex.P.2 : Migration certificate
- Ex.P.3 : Passing certificate
- Ex.P.4 : Income & Caste certificate
- Ex.P.5 : OBC certificate
- Ex.P.6 & 7 : 371(J) Certificate
- Ex.P.8 to 10 : Three study certificates
- Ex.P.11 : Birth certificate
- Ex.P.12 : Transfer certificate
- Ex.P.13 : PU Marks card
- Ex.P.14 : S.S.L.C. Marks card
- Ex.P.15 to 20: Degree Marks cards
- Ex.P.21 : Voter I.D. card
- Ex.P.22 : Pan card
- Ex.P.23 : Adhar card
- Ex.P.24 : Genealogy certificate
- Ex.P.25 : Bank pass book
- Ex.P.26 : Family ration card
- Ex.P.27 : Adhar card of plaintiff's father



Ex.P.28 : Adhar card of plaintiff's mother

Ex.P.29 : Adhar card of plaintiff's brother

Ex.P.30 : Pan card of plaintiff's father

WITNESSES EXAMINED ON BEHALF OF DEFENDANTS:

Nil

DOCUMENTS EXHIBITED ON BEHALF OF DEFENDANTS:

Ex.D.1 : C.C. of Primary School Admission
Application of (PW-2)

Ex.D.1(a) : Signature of PW-2

(ANIL AMATE)
Civil Judge & J.M.F.C.
Afzalpur.

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