



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

SECOND APPEAL NO.382 OF 2025

APPELLANT
(Original Plaintiff)

:- Suresh S/o Shriram Maske
Age : 58 years, Occ: Service
R/o Minor Irrigation Colony, Ganeshpur, Tah.
& Dist. Bhandara.

..VERSUS..

RESPONDENT
(Original Defendant)

:- Secretary/Village Development Officer, Gram
Panchayat Silli, Post Silli, Tah. & Dist.
Bhandara.

Mr. Himanshu Khedikar, Advocate for Appellant.
None for Respondent.

CORAM : **ROHIT W. JOSHI, J.**

DATE : **19/12/2025**

ORAL JUDGMENT :

1. The plaintiff filed a suit seeking declaration that his date of birth is 25.07.1970 and further direction to the defendant/Gram Panchayat to take an entry regarding birth of the plaintiff in the register of births and deaths accordingly.

2. It is the contention of the plaintiff that since his parents were illiterate, entry with respect to the birth was not recorded in the records of Gram Panchayat and that while admitting the plaintiff in school his parents wrongly mentioned date of birth 25.07.1968 which in fact is 25.07.1970. The plaintiff examined

himself and his elder brother in support of his contention. The said brother is three years older than the plaintiff. Both the Courts have found that the evidence brought on record by the plaintiff is not sufficient to grant a declaration with respect to his date of birth as 25.07.1970 as against 25.07.1968, which is recorded in all the relevant records pertaining him.

3. The Courts have found that the evidence of the plaintiff and his brother, who is only three years older than him, cannot be relied upon to determine the correct date of birth of the plaintiff as alleged by him as against the documents in which the date of birth is recorded as 25.07.1970. The findings of fact recorded by both the learned Courts do not warrant interference.

4. No substantial question of law arises for consideration, Second Appeal is **dismissed**.

(ROHIT W. JOSHI, J.)

C.L. Dhakate