



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

39 WRIT PETITION NO. 10741 OF 2026

Asif Magdum Pathan

VERSUS

The State Of Maharashtra And Another

...

Mr. Ramchandra J. Nirmal, Advocate for the Petitioner

Mr. S.K. Tambe, AGP for State

Mr. Anup Nikam, Advocate for Respondent No. 2

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CORAM : NITIN B. SURYAWANSHI AND

ABASAHEB D. SHINDE, JJ.

DATE : 31st AUGUST, 2026

PER COURT :

1. By this petition, petitioner challenges the order dated 03.11.2025 passed by Respondent No. 2 rejecting the proposal for correction in the school record in respect of his caste which is recorded as 'Chaparband' instead of 'Muslim'.
2. The Headmaster has sent proposal of the Petitioner for correction in the school record in respect of his caste to Respondent No. 2- Education Officer (Primary). The said proposal is disposed of by Respondent No. 2 on the ground that petitioner has already left the school, therefore, his proposal cannot be considered. Being aggrieved by said order, petitioner is before this Court.

3. Heard learned Advocate for the Petitioner, learned AGP for State and learned Advocate for Respondent No. 2.
4. It is settled legal position that even if the student has left the school, his proposal for correction of entry in the school record, has to be considered on merits. The impugned order rejecting the proposal of petitioner on the ground that he is no more student of the School, therefore, cannot be sustained.
5. In the result, Writ Petition is allowed.
6. Impugned order dated 03.11.2025 passed by Respondent No. 2 is quashed and set aside.
7. The matter is remanded back to Respondent No. 2 for consideration of proposal of the petitioner on merits and in the light of decision in ***Janabai Himmatrao Thakur vs. The State of Maharashtra and others***; 2019(6) Mh.L.J. 769. Petitioner shall appear before the Education Officer on 15/09/2026. Respondent No. 2 shall decide the said proposal within a period of four weeks from the date of first appearance of the petitioner.

(ABASAHEB D. SHINDE, J.)

(NITIN B. SURYAWANSHI, J.)