

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders

WRIT PETITION NO.6092 OF 2015

SACHIN RANGANATH MAHADIK
VERSUS
THE DIVISIONAL SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr.Deshmukh Sachin S.
AGP for Respondents/State: Mr.A.V. Deshmukh.
Respondents No.1 and 2 served – absent.

...
CORAM : S.S. SHINDE & A.M. BADAR, JJ.
Dated: SEPTEMBER 22, 2015

...
Heard learned Counsel for the petitioner and
learned AGP for Respondent No.3. Though
respondents No.1 and 2 are served, none appears
for them.

2 By way of filing this petition, the petitioner
has taken exception to the impugned
communication issued by the respondent No.2 on
the representation of the petitioner dated 8th June,
2015. The learned Counsel for the petitioner
invited our attention to the unreported order of this
Court in the case of **Vinod s/o Bapurao Singewar**

vs. State of Maharashtra and others in Writ Petition No.4264 of 2009 decided on 15th January, 2010 and submitted that merely on the ground that the petitioner has left the school, the prayer for correction in the school record cannot be rejected.

3 For the same reasons which are assigned while deciding the Writ Petition No.4264 of 2009, we allow the petition on the following terms:

4 The respondent No.2 is directed to consider the request of the petitioner for correction of the school record of the petitioner by following procedure prescribed by the Government Resolution No.GAC-1083/89/SE-2 dated 16th March, 1983 read with Appendix six of the Secondary Schools Code. Subject to grant of sanction by the appropriate authority, the school record of the petitioner may be corrected in accordance with the said provisions. The proposal be submitted to the appropriate authority for grant of sanction, within four weeks from today. On receipt of the said proposal, the appropriate authority shall decide the same, as expeditiously as possible and in any case, not later than eight weeks from its receipt on its own merits in accordance with law. The appropriate authority to afford an opportunity of hearing to the petitioner.

In the event, an adverse order is passed against the petitioner, the authority shall record reasons therefor.

5 It is made clear that all questions whether in respect of request for sanction or for carrying out amendment in the school record, will have to be decided on its own merit, in accordance with law.

Petition stands disposed of.

(A.M. BADAR, J)

(S.S. SHINDE, J)

kadam/