

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9192 OF 2014

Rajusing Vitthalsing Bilwal .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Deepak K. Rajput, Advocate for the Petitioner.

Shri A. S. Shinde, A.G.P. for Respondent Nos. 1 and 2.

Shri S. S. Tope, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
V. L. ACHLIYA, JJ.**

DATE : 19TH JANUARY, 2015.

PER COURT :

. The learned counsel submits that, the Education Officer rejected the application for change of caste in the school record only on the ground that, the petitioner had left the school. According to the learned counsel this Court has held that, this provision is directory.

2. We have heard, the learned counsel for respondents also.

3. In catena of judgments the provisions of Rule 26(4) of the Secondary School Code read with Appendix VI is held to be directory in nature.

4. In the light of the above, the impugned order is quashed and set aside. The Education Officer shall not reject the application of the petitioner for change of caste only on the ground that the petitioner has left the school and the Education Officer is entitled to go through the merits of the application and original school record and consider the application on its own merits. The writ petition is accordingly disposed of. No costs.

[V. L ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

bsb/Jan. 15