

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

WRIT PETITION NO. 8370 OF 2015

Ishita Subodh Seth
age 20 years, occ. Education
r/o 2, Siddhanchal Residency,
Near Omkareshwar Temple
Jai Nagar,
Jalgaon

.. PETITIONER

VERSUS

- 1 State of Maharashtra
Through Secretary of
Education Department,
Mantralaya, Mumbai.
2. Deputy Director of Education
Nashik Division, Nashik
3. Principal
M.J. College,
Jalgaon
Tq. & Dist. Jalgaon

.. RESPONDENTS

Mr. G.L. Gujar, advocate for petitioner.
Mr. S.B. Pulkundwar, AGP for the State.

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**CORAM : R.M. BORDE &
P. R. BORA, JJ.**

DATE : 21st MARCH, 2016.

ORAL JUDGMENT : (PER R. M. BORDE, J.)

1. Heard.

2. Rule. Rule made returnable forthwith. With the consent of the parties, petition is taken up for final disposal at admission stage.

3. Petitioner is objecting to the communication dated 12.05.2025 issued by the Education Officer (Secondary), whereby application tendered by petitioner seeking correction in her surname appearing the school record has been turned down.

4. Petitioner prays for issuing directions for effecting correction in the surname and, application in that regard has been tendered by her to the Education Officer through the Head Master of the school where she was taking education. The application appears to have been turned down by the Education Officer placing reliance on Rule 26(3) of the Secondary School Code. The aforesaid rule has been interpreted and this Court has taken a view that application seeking correction in the school record can be entertained by the Education Officer even after the pupil has left the school. Reliance can be placed on a judgment in the matter of Azam Khan s/o Dagd Khan Pathan Vs. State of Maharashtra and others reported in 2011(5) Mh.L.J. 255 as well as decision of the Division Bench of this Court in the matter of Arshad Khalid Jamal Vs. State of Maharashtra and others reported in 2012(4)Mh.L.J. 646.

5. For the reasons recorded in the aforesaid reported judgments, instant petition deserves to be allowed and the order passed by the Education Officer needs to be quashed and set aside and, it is accordingly quashed and set aside. The Education Officer is directed to consider the application tendered by petitioner through Head Master of school, in accordance with

the provisions of the Code, as expeditiously as possible, preferably within a period of four months from today and, it is accordingly directed. Rule made absolute to the extent specified above. In the facts and circumstances of the case, there shall be no order as to costs.

(P. R. BORA)
JUDGE

(R. M. BORDE)
JUDGE

dyb