

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

**WRIT PETITION NO.304 OF 2017**

Sheela w/o. Kishanrao Waghmare,  
Age : 29 years,  
Occ. Anganwadi Sevika,  
r/o. Tontaba, Tq. Kinwat,  
Dist. Nanded

..Petitioner

Vs.

The State of Maharashtra,  
Through its Secretary,  
Women and Child Development  
Department, Mantralaya,  
Mumbai and ors.

..Respondents

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Mr.C.R.Thorat, Advocate for petitioner

Mr.A.B.Girase, G.P. for respondent nos.1 and 3

Mr.S.B.Pulkundwar, Advocate for respondent no.2

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**CORAM : V.M. KANADE AND  
SANGITRAO S. PATIL, JJ.**

**DATE : JANUARY 18, 2017**

**PER COURT :**

Heard.

2. The petitioner had applied for correction of her date of birth after she has passed out from the school. Respondent no.3 - Education Officer

has refused to entertain the application relying on 26.4 of the S.S. Code.

3. Our attention is invited to a judgment in the case of **Shaikh Shafi Ahmed Khadarsab Vs. The State of Maharashtra and ors., 2012(7) All.MR.437.** In view of the said judgment, the Education Officer should not have summarily rejected the application filed by the petitioner for correction in her date of birth and should have followed the ratio laid down in the said judgment.

4. We, therefore, direct respondent no.3 – Education Officer (Secondary), Zilla Parishad, Nanded to decide the application of the petitioner on merits and in accordance with law under Rule 26.4 of the S.S. Code, within a period of four weeks from today.

5. With these directions, the petition stands disposed of.

**[SANGITRAO S. PATIL, J.]**

**[V.M. KANADE, J.]**