

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

WRIT PETITION NO.860 OF 2017

Satyashiv Vinayak Gadhave ..Petitioner

Vs.

The State of Maharashtra
and ors. ..Respondents

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Mr.S.K.Mathpati, Advocate for petitioner
Mr.S.G.Karlekar, AGP for respondent nos.1 and 2
Mr.U.S.Mote, Advocate for respondent no.4

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**CORAM : V.M. KANADE AND
SANGITRAO S. PATIL, JJ.
DATE : JANUARY 25, 2017**

PER COURT :

Heard.

2. According to the petitioner, his surname was wrongly recorded in the Secondary School Certificate issued by respondent no.4 – Board. It is submitted that the petitioner had applied for correction of his surname, however, the Education Officer rejected the application on the ground that the petitioner has left the school.

3. The learned Counsel for the petitioner relies on Rule 26.4 of S.S. Code and submits that the impugned order may be set aside. He submits that this Court in number of judgments, copies of which are annexed with the petition, has taken a view that after passing of 10th standard examination also, a student can apply for rectification of name.

4. We have perused the judgments relied by the learned Counsel for the petitioner so also the Rule 26.4 of the S.S. Code. In our view, the impugned order is liable to be set aside.

5. We, therefore, set aside the impugned order passed by respondent no.2 – Education Officer (Secondary), Zilla Parishad, Beed. We direct respondent no.2 to consider the application filed by the petitioner and after verifying the documents, take appropriate decision thereon, within a period of four weeks from today.

6. With these directions, the Writ Petition stands disposed of.

[SANGITRAO S. PATIL, J.]

[V.M. KANADE, J.]

kbp