

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.823 OF 2017
(Surantsing Shankar Thakur Vs. Education Officer (Primary) and
others)

Mr.D.B.Shinde h/f Mr.M.S.Deshmukh, Advocate for the petitioner.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 09/02/2017

PER COURT :

1. The petitioner is aggrieved by the order dated 09/09/2016 by which the Education Officer (Primary) / Respondent No.1 rejected the application for seeking correction in the School Record to the extent of the caste of the petitioner.

2. The petitioner has relied upon the judgment of the learned Division Bench of this Court in the matter of Master Arshad Khalid Jamal Vs. State of Maharashtra and others [2012 BCI 547] and the order passed by this Court dated 09/08/2016 in the matter of Saroj Suresh Bhosale Vs. Education Officer, Zilla Parishad, Ahmednagar and others in WP No.8465/2016.

3. The law laid down by this Court in the above referred reports does not call for any debate. In so far as Rule 26.3 and 26.4(2) of the

Secondary School Code is concerned, the above referred judgments indicate that the competent authority can be directed to consider the claim of the applicant for correction in the date of birth or in the caste strictly in accordance with the records available.

4. However, this is a peculiar case in hand. The petitioner is 67 years old and is seeking correction in his caste from 'Bhat Thakur' to 'Hindu Thakur'. It is stated that the petitioner is not seeking any employment and the correction is not for any ulterior motive.

5. The petitioner is Suratsingh Shankar Thakur. The document at page 11 pertains to Omkar Ramaji Thakur, whose date of birth is 04/09/1904. Omkar was the grand father of the petitioner and his caste was mentioned as 'Thakur'. He joined school on 14/02/1910 and left school on 01/07/1910 as he left the village. This certificate is issued on 26/11/2015.

6. A document at page no.12 is of Vasant Shankar Thakur who is said to be the brother of the petitioner. His caste is shown as 'Hindu Thakur' and his date of birth is 01/12/1943. This certificate is issued on 24/01/1989.

7. Another certificate is at page No.13 of Vijaysinh Shankarsinh Thakur. His caste is shown as 'Hindu Thakur' and his date of birth is 08/12/1938.

8. The certificate at page No.14 pertains to the father of the petitioner namely Shankar Ramaji Bhat who is born on 29/02/1908. His caste is shown as 'Bhat Thakur' and the petitioner's caste is also shown as 'Bhat Thakur' in his school certificate. As such, the father of the petitioner as well as the petitioner are shown to be belonging to the 'Bhat Thakur' caste as per their school records. It is stated that the certificate of the father of the petitioner has not been corrected and continues to be 'Bhat Thakur'.

9. In the light of the above, I do not find any reason to grant leave to the petitioner to seek correction of his caste from 'Bhat Thakur' to 'Hindu Thakur' when his father's certificate also shows 'Bhat Thakur' as his caste.

10. In the light of the above, this petition is dismissed.

(RAVINDRA V. GHUGE, J.)