

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

**WRIT PETITION NO. 2867 OF 2017**

**ANKUR GANESHRAO RAJUKAR  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr.Deshmukh Arvind And S  
A Deshmukh

AGP for Respondents : Smt. Vaishali Patil

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**CORAM : S.V.GANGAPURWALA & K.L.WADANE, JJ.**

**DATED : 6th MARCH, 2017**

**O R D E R :**

Mr. Deshmukh, learned counsel for the petitioner states that school record of the petitioner shows his name as Manik Ganeshrao Shengule. On 9.4.2015 the petitioner changed his name as Ankur Ganeshrao Rajurkar and the said change of name is also notified in the Gazette issued by the Government. The petitioner has followed the necessary procedure for changing the said name. In view of the fact that the name of the petitioner is changed in the Gazette the said change also is required to be made in the school record of the petitioner. The petitioner has

left the school on 30.5.2015.

2. Learned counsel relies on Rules 26.3 and 26.4 of the Secondary Schools Code and the judgment of the Division Bench of this Court in the case of **Mohd. Shahabudin Mohd. Shafiurrahman vs Deputy Director of Education and others**, reported in **2013 (3) All M.R. 600**.

3. Learned A.G.P. appears for respondent nos. 1 and 3 and submits that it is not the case of bona fide mistake.

4. In the case of Mohd. Shahabudin, referred to supra, it was observed by the Court that there was a mismatch in the name in the S.S.C. certificate and the H.S.C. certificate and relying on Rules 26.3 and 26.4 of the Secondary Schools Code it was held that correction of spelling is permissible. So also, the powers can be exercised of correction so as to be consistent with the corresponding entries in the General Register of

the school or those in the school leaving certificates issued by the previous school.

5. In the present case, it is not a mistake in entering the name of the petitioner in the school record. The name of the petitioner was correctly entered in the school record as Manik Ganeshrao Shengule. It appears that the petitioner applied for change in the name to the Government by following procedure. The Government accepted the factum of change in name and the change of the name was notified in the Gazette. The new name notified is Ankur Ganeshrao Rajurkar. The name and surname has been changed. The said change in the name and surname is on the own volition of the petitioner after leaving the school. Rules 26.3 and 26.4 of the Secondary Schools Code cannot be invoked for changing the school record in such a fashion. It is not a case of Clerical or bona fide mistake, but a conscious change of name and surname on the volition of the petitioner. The petitioner can use the Gazette to

show that his name has been changed subsequently.

6. Writ petition accordingly disposed of. No costs.

**(K.L.WADANE, J.)**

**(S.V.GANGAPURWALA, J.)**

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