

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

WRIT PETITION NO. 5795 OF 2011

Pradeep Jayawantrao Kulkarni .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri H. V. Tungar, Advocate for the Petitioner.

Shri Y. G. Gujrathi, A.G.P. for the Respondent No. 1.

Shri V. C. Patil, Advocate h/f Shri U. B. Bondar, Advocate for the
Respondent No. 2.

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

DATE : 02ND FEBRUARY, 2017.

PER COURT :

. We have heard Mr. Tungar, the learned counsel for the petitioner. The learned counsel submits that, Rule 26.4 of the Secondary School Code is directory in nature. Even after the student has left the school, still the Education Officer can entertain application for correction of date of birth in the school record. The Head Master ought to have forwarded the proposal to the Education Officer and should not have taken decision on his own.

2. We have also heard Mr. Patil, the learned counsel for the

respondent No. 2 and the learned A. G. P. for the respondent No. 1.

3. The petitioner seeks change of date of birth on the basis of horoscope and affidavit of parents. The petitioner has left the school in the year 1970. It would be too late to consider the grievance of the petitioner. The petitioner has also retired from service. No purpose would be served by deciding the petition. As such, the writ petition is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 17