

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10844 OF 2016

Dhanashri Ajit Joshi

..Petitioner

Vs.

The State of Maharashtra and Others

..Respondents

Mr. Amit A. Tungare, for the Petitioner.

Mr. C. P. Yadav, AGP, for Respondent Nos.1,3 and 4.

Mr. K. N. Marathe, for Respondent No.2.

CORAM :- **SHANTANU S. KEMKAR &
B.P.COLABAWALLA, JJ.**

DATE :- **APRIL 10, 2017.**

P. C.:

The learned counsel for Respondent No.2
undertakes to file reply during the course of day.

2 The grievance of the Petitioner is that though he
had submitted various applications before Respondent Nos.3
and 4 for correction of name of his mother in the mark-sheet
issued by Respondent No.2-Maharashtra State Board of

Secondary and Higher Secondary Education but Respondent No.4-Education Officer is not making corrections on the ground that there is no column in the general register to mention mother's name. The learned counsel for the Petitioner submits that on account of mistake of his father, the name of the Petitioner's biological mother has not been shown in the application which was required to be submitted at the relevant time as directed by Respondent No.2-Board but the name of his step mother was mentioned by the father. He submitted that he has overwhelming evidence including passport and birth certificate indicating the name of biological mother of the Petitioner and in the circumstances Respondent Nos.3 and 4 ought to have considered those documents and have passed an order for necessary corrections which could have been effected by Respondent No.2-Board.

3 Taking into consideration the aforesaid submissions, we dispose of this Petition with liberty to the Petitioner to submit fresh detailed application with

supporting documents before Respondent Nos.3 and 4. On receipt of the same, Respondent Nos.3 and 4 shall examine the said documents and pass appropriate orders keeping in view the law laid down by the Aurangabad Bench in the case of **Shaikh Shafi Ahmed Khadarsab v/s State of Maharashtra and Others reported in 2013 (1) Bom. C. R. 660**. In case the decision as aforesaid is taken by Respondent Nos.3 and 4 in favour of the Petitioner, Respondent No.2-Board shall issue corrected mark-sheet and certificates indicating biological name of the Petitioner's mother. Let the said exercise to be done by Respondent Nos.2 to 4 within a period of two weeks from the date of receipt of the application.

(B. P. COLABAWALLA, J.) (SHANTANU S. KEMKAR, J.)