

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

WRIT PETITION NO. 13488 OF 2018

Shri. Bhagirath S/o. Bhavji Sonwane .... Petitioner

Versus

The State of Maharashtra & Ors. .... Respondents

.....  
Shri. S. R. Sapkal, Advocate for the petitioner  
Shri. S. B. Pulkundwar, AGP for respondent/State  
Ms Nayana D. Patil, Advocate for respondent No. 3  
.....

**CORAM : S. V. GANGAPURWALA &  
A. M. DHAVAL, JJ.**

**DATE : 13<sup>TH</sup> MARCH, 2019**

**ORAL ORDER:**

1. Shri. Sapkal, learned counsel for the petitioner submits that, the only ground on which the application of the petitioner for correction of the caste in the school record is rejected is that, as per Rule 26.3 of the Secondary School Code, the petitioner has left the school. The learned counsel submits that, this Court has held that the said rule is directory and not mandatory. The school record of the brother of the petitioner records caste as Hindu Koli and erroneously in the school record of the petitioner caste is recorded as Koli Suryawanshi. The same is sought to be corrected.

2. We have heard the learned counsel for respondent also.

3. It is the fact that, Rule 26.4 of the Secondary School Code has been held to be directory by this Court, however, the party has to approach within a reasonable time. It is more than 60 years the petitioner has left the school. The petitioner is aged more than 70 years. The petitioner has approached after unreasonable delay. Even if the provision is held to be directory, the petitioner has to approach within a reasonable time. 60 years cannot be said to be a reasonable time.

4. In view of that, the Writ Petition is disposed of.

**[ A. M. DHAVAL ]**  
**JUDGE**

**[ S. V. GANGAPURWALA ]**  
**JUDGE**

Punde