

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

69 WRIT PETITION NO.13477 OF 2018

RAVINDRA SARJERAO PAWAR
 VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Ambekar Arvind G
 AGP for Respondents State: Mr S. B. Narwade
 Advocate for Respondent No.4 : Mr. S. T. Shelke
 Advocate for Respondents 7 & 8 : Mr V. H. Dighe

**CORAM : S. V. GANGAPURWALA &
 ANIL S. KILOR, JJ.**

DATE : 16th September, 2019

ORDER:

1. The petitioner had sought correction in the school record concerning his caste. The application filed by the petitioner is not considered on the ground that the petitioner has left the school.

2. We have heard learned AGP and learned counsel for the respondents.

3. Perusal of the order passed by the Education Officer Secondary, it transpires that the application of the petitioner is not considered only on the ground that the petitioner left the school.

4. It has been held that Clause 26(4) of the Secondary School Code is directory in nature. The

petitioner is seeking correction of his caste recorded in the school record. If the Education Officer considers application of the petitioner and decides to allow it, the original caste appearing in the school record would only be encircled by introducing new caste. It is for the scrutiny committee to consider the veracity of the social status claimed by the petitioner.

5. Considering the above, we pass following order:

O R D E R

The Education Officer Primary and Secondary shall consider the proposal for correction of caste recorded in the school record of the petitioner on its own merits and shall not reject it only on the ground that the petitioner has left the school.

6. Writ petition is accordingly disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC