

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

WRIT PETITION NO. 2336 OF 2020

Sushil Chandrakant Choudante .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Sandeep B. Sontakke, Advocate for the Petitioner.
Shri P. S. Patil, Addl.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.
DATE : 06TH FEBRURY 2020.**

FINAL ORDER :

. The learned counsel for the petitioner submits that, as per the birth certificate under the Registration of Birth and Death Act, the date of birth of the petitioner is as 04th April, 1988, however, by mistake the date of birth is recorded as 26th April, 1987 in the school record. The application is rejected on the ground that, the petitioner has left the school.

2. The learned Assistant Government Pleader appears for respondent Nos. 1 and 2.

3. The Full Bench of this Court under judgment and order dated 17.10.2019 in Writ Petition No. 8085 of 2017 has held that, if it is case of obvious mistake, then Clause 26.4 of the Secondary School Code would not be an impediment to correct the school

record even after the student has left the school.

4. Considering the above, the impugned order is quashed and set aside. The Education Officer shall reconsider the proposal seeking correction of date of birth of the petitioner on its own merits, expeditiously and preferably within a period of three (03) months from today. The writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Feb. 20