

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

**983 WRIT PETITION NO.3 OF 2020
WITH CA/117/2020 IN WP/3/2020**

**KOMAL D/O BALAJI CHATARWAR
VERSUS
STATE OF MAHARASHTRA AND ORTHERS**

...
**Advocate for Petitioner : Biradar Chandrant D.
AGP for Respondents: P.G.Borade**
...

**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATE : 09.01.2020**

PC. :-

The application of the petitioner seeking correction in the surname is rejected on the ground that the petitioner has left the school.

2] The Full Bench of this Court in case of Janabai W/o Himmatrao Thakur V/s State of Maharashtra and others in Writ Petition No.8085/2017 dated 17/10/2019 has observed that in case of obvious mistake the Education Officer can consider the application even after the student has left the school. In that event, Clause 26.4 of the Secondary School Code is held to be directory.

3] In light of that the impugned order is quashed and set aside. The Education Officer shall reconsider the proposal of the petitioner for correction in the surname of the petitioner in the school record on its own merits

expeditiously preferably within four weeks.

4] Writ Petition is disposed of. No costs.

5] In view of disposal of Writ Petition, Civil Application No.117 of 2020 also stands disposed of.

[MANGESH S. PATIL, J.]

[S.VGANGAPURWALA,J.]

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