

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

WRIT PETITION NO. 1833 OF 2020

Yogesh Balasaheb Vethekar ... Petitioner.

Versus

The State of Maharashtra
and others ... Respondents.

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Mr. D.B. Rode, Advocate for the Petitioner.
Mr. P.K. Lakhotiya, A.G.P. for Respondent Nos.1 and 2.
Ms. Surekha Mahajan, Advocate for Respondent No.3.
Mr. R.L. Kute, Advocate for Respondent No.4.

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**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 11th MARCH, 2021

PER COURT:-

1. The learned counsel for the petitioner submits that the proposal for correction of the name of the mother in the school record is rejected by the Headmaster only.
2. We have heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. The only reason for the Headmaster in not considering the request of the petitioner is that the petitioner had left the school when the application was given for correction of the name of the mother in the school record. The reliance is placed on Rule 26.4 of the Secondary School Code.

4. The full Bench of this Court in case of *Janabai D/o Himmatrao Thakur Vs. The State of Maharashtra and others* reported in *2020 (1) All M.R. 360* has held that the said provision is directory and obvious mistake can be corrected even after the student has left the school.

5. The full Bench of this Court in case of *Janabai D/o Himmatrao Thakur* (supra) has held that the obvious mistake can be corrected even after the student has left the school. The Headmaster ought to have forwarded the said proposal to the Education Officer. The Education Officer, thereafter has to pass the order and the matter would be referred to the Secondary School Board. The said process was required to be adhered to.

6. The Respondent No.4 shall forward the proposal filed by the petitioner for correction in the name of the mother in the school record to Respondent No.2. The Respondent No.2 shall not reject the said proposal only on the ground that the petitioner had left the

school. The Education Officer shall forward the said proposal, preferably within two (02) months from the date of receipt of the such proposal and thereafter the respondent No.3 shall take necessary decision and steps as per the provisions, preferably within three (03) months.

7. The writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

S.P Rane