

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

WRIT PETITION NO. 5882 OF 2021

Rahul Rajendra Shelke

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Sagar S. Ghumare, Advocate for the Petitioner.

Shri S. P. Tiwari, A.G.P. for Respondent Nos. 1 and 2.

Ms. Surekha Mahajan, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
R. N. LADDHA, JJ.**

DATE : 17TH AUGUST, 2021.

FINAL ORDER :

. The respondent No. 3 has refused to correct the name of the mother of the petitioner as Shalini instead of Vaishali on the marks sheets and certificates of S.S.C. and H.S.C. issued by it. Aggrieved thereby present petition.

2. We have heard the learned counsel for the petitioner, the learned Assistant Government Pleader for respondent Nos. 1 and 2 and Ms. Mahajan, the learned counsel for the respondent No. 3.

3. The name of the mother of the petitioner in the general register of the primary school as well as secondary school appears as Vaishali and the same is sought to be corrected as Shalini. The Education Officer (Secondary) has passed an order

thereby directing to change the name of the mother of the petitioner in the school record. However, it appears that, the petitioner has not approached the Education Officer (Primary) for correction of the same in the general register in the primary school record. The procedure under Rule 26.4 read with Appendix VI of the Secondary School Code does not show any ambiguity.

4. The petitioner shall submit the proposal to the Education Officer Primary, Zilla Parishad, Aurangabad for correction of the name of the mother of the petitioner. The learned counsel for the petitioner submits that, the Head Master has already corrected the name of the mother of the petitioner in the primary school record, however, no sanction is obtained from the Education Officer Primary. The petitioner shall given an application to the Education Officer Primary for correcting the record. The Education Officer Primary shall verify the order passed by the Education Officer Secondary, Zilla Parishad, Aurangabad and the documents submitted by the petitioner and if he is convinced shall grant post facto sanction to the correction made in the school record. Same shall be done expeditiously and preferably within a period of seven (07) days from the date of application by the petitioner.

5. In case the petitioner produces order of the Education Officer Primary granting post facto sanction for correction made in the primary school record, the respondent No. 3 shall issue

corrected marks sheets and certificates of the S.S.C. and H.S.C. examination in tune with the order passed by the Education Officer Primary and Secondary, Zilla Parishad, Aurangabad, expeditiously and preferably within a period of seven (07) days from the date the petitioner produces the said order.

6. In the light of the above, the writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

bsb/Aug.21