

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

938 WRIT PETITION NO.8445 OF 2021

**SAIRAM BHAGWANTRAO BENJAKIWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mr. A.N. Sabnis
AGP for Respondents 1 & 2 : Mr. K.N. Lokhande
Advocate for Respondent 3 : Mr. S.B. Pulkundwar

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

DATED : 05/08/2021.

PER COURT :

. Mr. Sabnis, learned advocate for the petitioner submits that the proposal was sent by the management of the school for correction of column of caste in school record of the petitioner. The said application was rejected only on the ground that the petitioner has left the school.

2. The learned A.G.P. accepts the notice for respondent Nos. 1 and 2. Mr. Pulkundwar accepts the notice for respondent No. 3.

3. The Full Bench of this Court in the case of **Janabai d/o. Himmatrao Thakur Vs. State of Maharashtra and Ors.** reported in 2019 (6) Mh.L.J. 769 has observed that obvious mistake in the school record can be corrected even after the

student has left the school. In the present matter, the Education Officer has passed the order referring to clause 26.4 of Secondary School Code that as the petitioner has left the school, the application cannot be entertained. In the light of judgment of the Full Bench of this Court referred to above, the Education Officer has to consider, whether the mistake in the school record is obvious mistake or not and if it is obvious mistake, the same can be corrected irrespective of the fact that the petitioner has left the school.

4. In the light of judgment of the Full Bench (supra), the impugned order is quashed and set aside. The Education Officer shall reconsider the proposal of the petitioner submitted to it for correction in the column of caste in the school record of the petitioner on its own merits and in the light of the observations made above. The same shall be considered and decision shall be taken preferably within four months.

5. The writ petition is accordingly allowed and disposed of. No costs.

[R.N. LADDHA, J.]

[S.V. GANGAPURWALA, J.]

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