

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

1025 WRIT PETITION NO.7454 OF 2021

NARENDRA UKHARDU THAKUR
VERSUS
EDUCATION OFFICER (PRIMARY), ZILLA PARISHAD, JALGAON

...
Advocate for Petitioner : Mr. Mahesh S. Deshmukh.

Advocate for Respondent : Mr. M. S. Sonawane.
...

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

DATE : 03rd September, 2021.

P.C.:

. The application of the petitioner for correction of the caste in the school record is rejected by the Education Officer on the ground that the petitioner has left the school and as per the Clause 26.4 of the Secondary School Code, the application cannot be entertained.

2 The Full Bench of this Court in the case of *Janabai Himmatrao Thakur Vs. State of Maharashtra and Others*, reported in, *2019 (6) Mh.L.J. 769*, has held that the provision of Clause 26.4 is directive and if there is an obvious mistake, the same can be corrected even after the child has left the school.

3 The Education Officer while passing the impugned order has not

considered whether the obvious mistake exist while recording the caste and has rejected the application on the ground that the petitioner has left the school.

4 In light of that, the impugned order is quashed and set aside.

5 The Education Officer shall reconsider the application forwarded to it for correction of the caste of the petitioner in the school record.

6 The Education Officer shall consider whether the case of obvious mistake is made out and thereafter, pass the orders in accordance with law.

7 The petitioner may place on record such documents as the petitioner may rely.

8 The writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]