

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
936 WRIT PETITION NO.8024 OF 2021**

Dhananjay Dharmendra Kumar Chaudhary
Age: 20 years, Occ: Student, R/o, H/N.39,
Near Nehru College, Bharat Nagar,
Mukundwadi, Dist. Aurangabad.

..PETITIONER

VERSUS

1. Education Officer (Secondary)
Zilla Parishad,
Zilla Parishad High School, Station Road,
Aurangabad.

2. St. Francis De Sales High School,
Jalna Road, Aurangabad. ..RESPONDENTS

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Mr. Avinash R. Borulkar, Advocate for the
Petitioner.

Mr. A. S. Shinde, AGP for Respondents-State.

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

DATED : 28th JULY, 2021.

ORAL JUDGMENT (Per: S. V. Gangapurwala):-

1. At the request of learned counsel for the
petitioner leave to delete respondent no.2.

2. Rule. Rule made returnable forthwith.
With the consent of parties, matter is taken up for
final hearing at the admission stage.

3. The petitioner impugns the order rejecting
the application for correction of date of birth and
the place of birth in the school record.

4. Mr. Borulkar, learned counsel for the petitioner submits that, the school had forwarded the proposal submitted by the petitioner for correction of the date of birth and the place of birth in the school record to the Education Officer. The Education Officer rejected the same only on the ground that, the petitioner has left the school.

5. We have heard the learned A.G.P. for respondent no.1.

6. The Full Bench of this Court in **Writ Petition No.8085 of 2017** under its judgment and order dated 17.10.2019 has held that the obvious mistakes can be corrected even after the candidate has left the school. In the present matter the petitioner has left the school in the year 2017. The application has been made for correction of date of birth and place of birth in the school record probably in February-2021.

7. The petitioner relied upon the birth certificate issued by the Municipal Corporation. According to the petitioner, the correct date of birth of the petitioner is 27.05.2000 and in the school record the date of birth is recorded as 20.01.2000. The place of birth according to the petitioner is Aurangabad in the birth certificate, whereas in the school record it is recorded as Sikta.

8. The Education Officer was required to satisfy himself whether it is a case of an obvious mistake and if he is satisfied that date of birth and place of birth recorded in the school record is an obvious mistake, then ought to have decided it on its own merits.

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

10. The Education Officer shall re-consider the proposal of the petitioner and shall satisfy himself whether it is a case of obvious mistake in recording the date of birth and place of birth in the school record and decide it on its own merits. It shall not be rejected on the ground on which impugned order was passed. The same shall be decided expeditiously and preferably within a period of four months.

11. Rule accordingly made absolute in above terms. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE