

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

WRIT PETITION NO.6515 OF 2021

Mangal w/o Deepak Kashyap
Age: 47 Years, Occu: Service,
R/o: c/o Principal Civil Judge (SD) Court
Administrative Building, Near RTO Office,
Parbhani.

... PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary,
Department of Higher &
Technical Education,
Mantralaya, Mumbai – 32.
2. Education Officer (Secondary),
Zilla Parishad, Aurangabad.
3. Anand Krushna Waghmare Prashala,
Aurangabad.
Saraswati Colony, Gulmandi, Naralibag,
Aurangabad.
Through its Head Master.

... RESPONDENTS

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Mr. Sharad V. Natu, Advocate for Petitioner.

Mr. P. S. Patil, AGP for Respondent/State.

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**CORAM : DIPANKAR DATTA, CJ &
RAVINDRA V. GHUGE, J.**

DATE : 15th June, 2021.

P.C.:

1. The petitioner, a member of the Maharashtra Judicial Service,
has presented this writ petition seeking quashing of letter dated 29th

December, 2020 issued by the respondent no.2 [Education Officer (Secondary), Zilla Parishad, Aurangabad] and for a direction on such respondent to decide her application dated 16th October, 2020 by filling up the relevant columns in respect of religion, caste and nationality in the school leaving certificate issued by the respondent no.3 (Anand Krushna Waghmare Prashala, Aurangabad).

2. The photocopy of the school leaving certificate of the petitioner, at page 11 of the writ petition, is apparently undated. We have been informed by Mr.Natu, learned counsel for the petitioner that she cleared the secondary examination nearly three decades back. Replying to our query as to why the petitioner, at this distance of time, has approached this Court for insertion of her religion, caste and nationality in the school leaving certificate and also as to whether any of her rights has been infringed by reason of absence of entries in relation to her religion, caste and nationality in such certificate, Mr.Natu fairly submits that the petitioner has not suffered any infringement of her rights because of such absence, but she has invoked the writ jurisdiction of this Court intending to keep the record straight.

3. Without there being any infringement of any legally protected right of the petitioner, a writ petition would not be maintainable. Even otherwise, this Court would not ordinarily answer an issue that is

raised for an academic reason. The relevant rules governing alteration/ change/correction in the school leaving certificate have to be interpreted and this Court would not venture to do so on a writ petition that does not involve infringement of rights. We, therefore, decline to examine the petitioner's plea on this count, but leave it open to the petitioner to approach the Court, if at all there is an infringement of her rights in future and if she is advised to so approach.

4. At this stage, Mr.Natu submits that although the petitioner's name is "Mangal", the school leaving certificate records her name as "Mangala".

5. On the basis of our reading of the photocopy of the school leaving certificate, at page 11 of the writ petition, it is clear in our minds and we read the name of the petitioner as "Mangal" and not "Mangala". No change or alteration as prayed for by Mr.Natu is called for, in the present facts and circumstances. We have also been informed by Mr.Natu that in the petitioner's service record her name has been recorded as "Mangal". If at all, in future, any question arises as to her name, we are of the opinion that the observation made in this order would sufficiently take care of the petitioner's concern.

6. With these observations, the writ petition stands disposed of. No costs.

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[RAVINDRA V. GHUGE, J.]

[CHIEF JUSTICE]