

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

WRIT PETITION NO.9117 OF 2021

DIVYA MADHAV BHAKARE UNDERHER GUARDIAN MADHAV
SHIVRAM BHAKARE ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER ..RESPONDENTS

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Mr. C. D. Biradar, Advocate for the Petitioner.

Mr. S. K. Tambe, AGP for Respondents-State.

Mr. Umesh S. Mote, Advocate for Respondent No.2.

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**CORAM : S. V. GANGAPURWALA &
S. G. DIGE, JJ.**

DATED : 15th DECEMBER, 2021.

PER COURT:-

1. We have heard learned counsel for the petitioner and learned counsel for respondent no.2.

2. The grievance appears to be that, respondent no.2 has rejected the application of the petitioner for change of name of the mother in the mark-sheet of March 2020 exam and SSC Certificate of July 2020.

3. The petitioner contends that, necessary change has been made in the school record.

4. If it is a case of obvious mistake, then within a reasonable time, respondents can consider the application for change of name of mother. The identity of person qua the name is paramount as is held

by the Apex Court in a case of **Jigya Yadav (Minor) (Through Guardian/Father Hari Singh) Vs. Central Board of Secondary Education and Others** reported in (2021) 7 SCC 535 and within reasonable time the respondents can entertain the application for change of name in the record of respondent no.2 to be in tune with the school record.

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

6. The respondent no.2 shall consider the application of the petitioner for change of name of mother in the mark-sheet of 10th and 12th examination of the petitioner in tune with the school record and same may not be rejected only on the ground that, the petitioner has left the school. The decision shall be taken expeditiously and preferably within a period of fifteen (15) days from today.

7. Writ Petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE