

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

WRIT PETITION NO. 10888 OF 2021

Santosh Kailas Jadhav

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Mahesh K. Bhosale, Advocate for the Petitioner.

Shri S. P. Tiwari, A.G.P. for the Respondent No. 1.

Shri S. B. Pulkundwar, Advocate for Respondent Nos. 2 and 3.

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

DATE : 09TH DECEMBER, 2021.

FINAL ORDER :

. The proposal of the petitioner for correction of caste in the school record is rejected on the ground that he has left the school.

2. The Full Bench of this Court in a case of Janabai D/o Hanmantrao Thakur Vs. The State of Maharashtra and others reported in *2019(6) Mh.L.J. 769* has held that, clause 26.4 of the Secondary School Code is directory and if it is a case of obvious mistake, then the Education Officer can consider the proposal even after the student has left the school.

3. In the light of the above, we pass the following order.

4. The impugned order is quashed and set aside. The Education Officer shall reconsider the proposal of the petitioner

for change of caste in the school record. It shall also consider whether the petitioner has made out case of obvious mistake and if the petitioner has made out case of obvious mistake, then only entertain the proposal and take decision upon it. It may consider the record as he may deem fit. The said proposal shall be decided, expeditiously and preferably within a period of four (04) months from today.

5. In the light of the above, the writ petition is disposed of. No costs.

[S. G. DIGE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Dec. 21