

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

914 WRIT PETITION NO.2003 OF 2022

KISHOR KAILAS GAVALI
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

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Advocate for the petitioner : Mr.Amol Kakade h/f.
Mr.G.P.Darandale
Addl.GP for Respondent : Mr.P.S.Patil

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

DATE : 09.02.2022

P.C. :

1] The proposal for correction of surname of the petitioner has been rejected by respondent no.2 on the ground that the petitioner has left the school relying on clause 26.4 of the Secondary School Code.

2] We have heard learned counsel for the petitioner and learned AGP.

3] The Full Bench of this Court in the case of **Janabai Himmatrao Thakur Vs. State of Maharashtra** reported in **2019 [6] ABR 565** has held that obvious mistake can be corrected even after the student has left the school.

4] In the light of that, impugned order is quashed and set aside. The Education Officer shall re-consider the proposal seeking correction of surname of the petitioner in the school record. If it comes to the conclusion that it is the case of obvious mistake then he can entertain the proposal even after the petitioner has left the school.

5] The said proposal shall be decided preferably within four [4] months. Writ Petition is disposed of. No costs.

[S.G.DIGE, J.]

[S.V.GANGAPURWALA, J.]

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