

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

229 WRIT PETITION NO.6630 OF 2022

**HARSHVARDHAN SANJAYKUMAR PATIL
THROUGH HIS GUARDIAN SANJAYKUMAR GOPALRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA
THROUGH THE SECRETARY AND OTHERS**

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Advocate for Petitioner:

Mr. A. R. Nikam h/f. Mr. Amol D. Lipne

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

Advocate for Respondent No.3: Mr. B. R. Kawre

Advocate for Respondent No.4:

Mr. Swapnil Joshi h/f. Mr. S. B. Deshpande

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CORAM: RAVINDRA V. GHUGE

AND

ARUN R. PEDNEKER, JJ.

DATE: 07th OCTOBER, 2022

PER COURT:

1. The Petitioner has put-forth prayer clauses 'C', 'D' and 'E', as under:-

"C) The impugned order / Communication letter bearing outward number Z.P.ABD/ EDU/ Secon -6/8/2021-22/3535 Dt:02.06.2022 passed by Ld. Education Officer (S) Zilla Parishad, Aurangabad may please be quashed and set-aside.

D) By issuing appropriate writ, in the nature of writ of mandamus or any other appropriate writ, order, directions, the Respondent No.2 and 3 may please be directed to correct the name of petitioner as "Harshvardhan" instead of "Harshavardhan" and his father's name as "Sanjaykumar" instead of "Sanjay" and issue fresh Transfer Certificate by correcting the names in favour of petitioner.

E) By issuing appropriate writ, in the nature of writ of mandamus or any other appropriate writ, order, direction, the Respondent No. 4 Central Board of Secondary Education, Pune Divisional Board, Pune to correct the name of petitioner as "Harshvardhan Sanjaykumar Patil" instead of "Harshavardhan Sanjay Patil" in Secondary School Examination Certificate 2021 and Migration Certificate issued on 25/10/2021 and issue fresh corrected certificate in favour of the petitioner."

2. We have considered the submissions of the learned Advocates for the respective sides and the learned AGP on behalf of Respondent Nos.1 and 2.

Mr. Kawre, learned Advocate has vehemently opposed this Petition and has taken exception to certain aspersions made against the school in allegedly not attempting to redress the grievance of the Petitioner. The learned Advocate for the Petitioner candidly submits that the Petitioner is apologetic and prays that the ill feeling may not be harboured by the school.

3. We find from the record that the name of the Petitioner has been consistently mentioned in the birth certificate, Aadhaar Card, his Passport and various school records as 'Harshvardhan'. His father's name also consistently appears in the records as 'Sanjaykumar'. It is at some places, like the register of the students or the admission form wherein, since there was not enough space to write the name Sanjaykumar, the same has been written as 'Sanjay'. But in the details of his father in the same forms, the name is written as 'Sanjaykumar'.

4. In view of the above, we do not find that the Petitioner is attempting to change his name or his father's name. The mistake that has occurred at some places in the record despite the fact that the name of the father has been consistently mentioned as 'Sanjaykumar', would indicate that it is an obvious mistake.

5. We expect the school to issue a new Transfer Certificate with the necessary corrections, as 'Harshvardhan Sanjaykumar', on or before 14.10.2022.

6. In view of the above, this Petition is allowed in terms of prayer clauses 'C', 'D' and 'E'.

[ARUN R. PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]

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