

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 8478 OF 2019

Ganesh Vijaysing Bighot

....Petitioner

VERSUS

The State of Maharashtra and Others

....Respondents

Advocate for Petitioner : Mr. A.R. Tapse

AGP for Respondent Nos. 1 & 2 : Mr. S.B. Pulkundwar

Advocate for Respondent Nos. 3 & 4 : Mr. R.A. Tambe

**CORAM : A.S. GADKARI AND  
S. G. MEHARE, JJ.**

**DATE : 03.02.2022**

**P.C. :**

1. It is the grievance of the petitioner that, his application for effecting correction in his caste in the record of school from 'Hindu Thakur' to 'Rajput Bhamta' has been rejected by respondent No. 4 without forwarding the said application to respondent No. 3. Petitioner has placed reliance on a decision of this Court in Writ Petition No. 6511/2013, dated 10.01.2014. In para No. 6 of the said decision, this Court has categorically observed that the Education Officer is not powerless to effect necessary changes or alterations in the entries of the school record if it was obvious mistake.

2. It is needless to mention that, proper procedure for the same is prescribed in Rule 26.4 of the Secondary School Code. The Deputy Education Officer, Taluka and District Aurangabad, in her reply dated

10.02.2021, in paragraph No. 7 has stated that the application for effecting the said change by the petitioner was not in proper format and could not be forwarded by respondent No. 4 to respondent No. 3 and hence it was rejected.

3. It is thus apparent that, the application for effecting necessary change in the caste in school record of petitioner could not be taken into consideration by respondent Nos. 3 and 4 due to non filing of a proper application as per Rule 26.4 and appendix No. 6 thereof.

4. In view of the above petitioner is directed to file a detail application as per Rule 26.4 of Secondary School Code with respondent No. 3 within a period of two weeks from today.

5. If petitioner files such an application with respondent No. 3 within the stipulated period, respondent No. 3 is directed to decide the said application as per the provisions of law within a period of three weeks therefrom.

6. It is needless to mention that, if the decision of respondent No. 3 is adverse to the petitioner, petitioner will have a remedy to question the said decision of respondent No. 3 as per the provisions of law.

7. In view of the above, nothing survives in the present petition at this stage and is accordingly disposed off.

**[S.G. MEHARE, J.]**  
SPC

**[A.S. GADKARI, J.]**