

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

WRIT PETITION NO. 12862 OF 2016

Vishakha Vishwanath Solanke .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Ramesh R. Imale, Advocate for the Petitioner.
Shri S. K. Tambe, A.G.P. for the Respondent No. 1.
Shri S. R. Yadav, Advocate for the Respondent No. 2.
Shri U. B. Bilolikar, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.
DATE : 07TH MARCH, 2022.**

FINAL ORDER :

- . The proposal seeking correction in the date of birth of the petitioner is rejected by the Education Officer (Primary).
2. Heard the learned counsel for the petitioner and the learned counsel for respondents.
3. The proposal seeking correction of date of birth in the school record of the petitioner is rejected relying upon Clause 26.4 of the Secondary School Code.
4. The Full Bench of this Court in a case of Janabai Himmatrao Thakur Vs. State of Maharashtra and others reported in *2020(1) All M.*

R. 360 has observed that, if it is a case of obvious mistake, the correction in the school record can be made even after student has left the school. It is further held that, Clause 26.4 of the Secondary School Code is directory in nature.

5. In the light of the above, the impugned order is quashed and set aside. The Education Officer (Primary) shall reconsider the proposal of the petitioner seeking correction of date of birth in the school record and if the Education officer comes to conclusion that it is a case of obvious mistake, then decide the same on its own merits, in accordance with law and policy, expeditiously and preferably within a period of four (04) months from today.

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

[S. G. DIGE, J.]

[S. V. GANGAPURWALA, J.]

bsb/March 22