

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6747 OF 2021

Pranav Shashikant Bhosale

...Petitioner

vs.

The State of Maharashtra

Through the Secretary, School

Education and Sports Dept. and Ors.

...Respondents

Mr. S. B. Patil - Advocate for the Petitioner

Mr. N. C. Walimbe - AGP for the Respondent-State

**CORAM : S.V. GANGAPURWALA AND
 S. M. MODAK, JJ.**

DATE : 13th JULY, 2022

P.C. :-

1. The proposal seeking correction of the date of birth in the school record is rejected on the basis of the clause 26.4 of the Secondary School Code.
2. The Full bench of this Court in case of *Janabai Himmatrao Thakur Vs. The State of Maharashtra* in Writ Petition No. 8085 of 2017, decided on 17/10/2019 held that the Clause 26.4 of the Secondary School Code is a directory. However if the Education Officer comes to the conclusion that there was a bonafide mistake in recording the date of birth, the same can be corrected even after student has left the school.
3. In light of that, impugned order is quashed and set aside. The

Education Officer shall reconsider the proposal seeking correction of date of birth in the school record of the Petitioner afresh in light of the judgment of the Full Bench of this Court in case of *Janabai Himmatrao Thakur* (Supra).

4. Writ Petition is disposed of. No costs.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA,J.]