

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

WRIT PETITION NO. 10494 OF 2018

Bajirao Manjabapu Ghumbare	...Petitioner
vs.	
Dy. Director (Education), (Secondary and Higher Secondary) State of Maharashtra and Ors.	...Respondents

Mr. Ganesh Bhujbal - Advocate for the Petitioner
Mr. S. L. Babar - AGP for the Respondent-State.

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

DATE :	13th JULY, 2022
---------------	-----------------------------------

P.C. :-

1. The proposal is submitted for correction of date of birth in the school record is rejected.
2. The application/proposal seeking correction of date of birth in the school record is rejected relying upon the clause 26.4 of the Secondary School Code. 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 has held that Clause 26.4 of the Secondary School Code is directory and if genuine mistake is committed the same can be corrected even if students have left the school.
3. In light of that, impugned Order is quashed and set aside. The

Deputy Director of Education shall reconsider the proposal for seeking correction of date of birth of the Petitioner in the school record afresh on its own merits and shall take decision in light of the judgment of the Full bench of this Court *Janabai Himmatrao Thakur* (Supra).

4. Writ Petition is disposed of. No costs.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA,J.]