

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2374 OF 2023

SWAPNIL S/O SUBHASH KEDAR
VERSUS
MAHARASHTRA STATE BOARD OF SECONDARY AND HIGHER SECONDARY
EDUCATION, PUNE AND OTHERS

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Advocate for Petitioner : Mr. Shrimant Ravsaheb Kedar
Advocate for Respondent No.1 : Mr. U. S Mote
AGP for Respondent – State : Mr. P. S. Patil
Advocate for Respondent No.4 : Mr. B. M. Dhanure

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CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.

DATED : 01st MARCH, 2023

PER COURT :

1. The issue raised by the petitioner before us is as to how his first name would be spelt. His first name in Marathi is "स्वप्नील". It appears the same in Hindi. In English it can be spelt as "*Swapnil*" or "*Swapanil*" or "*Swapneel*".
2. The school record of the petitioner appearing in Marathi correctly indicates his first name as "स्वप्नील". For the first time, the Maharashtra State Board of Secondary and Higher Secondary Education has typed his first name in the SSC (certificate) as "*Swapanil*". Surprisingly, the same Board while delivering the HSC (certificate) of the petitioner has correctly spelt his first name as "*Swapnil*".

3. The reason for the petitioner to approach this Court is on account of the Central Industrial Security Force (CISF) having issued a rejection slip dated 10/02/2023 concluding that the petitioner is not qualified in the documentation round as there a name mismatch between 10th standard certificate and 12th standard certificate.

4. The learned advocate representing the Union of India submits that this petition deserves to be dismissed and the petitioner be directed to approach the learned Central Administrative Tribunal (CAT) since he intends to join service with CISF. Taking into account the peculiar facts of this case, we are exercising our extra ordinary jurisdiction and we do not intend to increase the rigors of litigation for the petitioner.

5. In view of above, this petition is allowed. We record that the first name of the petitioner would be spelt as “*Swapnil*”. In future, the petitioner would be precluded from changing his name or spelling. We direct the SSC board to issue a corrected SSC (certificate) indicating the correct spelling of the first name of the petitioner.

6. Let such certificate be issued on or before 3rd March 2023 prior to 5.30 p.m.

7. Needless to state, after the petitioner receives the corrected SSC (certificate) on 3rd March 2023, he would produce the same before respondent No.4. As such, the rejection slip stands quashed and set aside and we are direct respondent No.4 to treat the petitioner as qualified in the documentations.

8. The litigating parties need not wait for this order to be uploaded on the official website of the Bombay High Court and shall act on the directions as set out herein above, in view of this order having been dictated in open court.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)