

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

WRIT PETITION NO.3420 OF 2023

**NIKHIL BHAGAWAN VYAVHARE
VERSUS
THE EDUCATION OFFICER SECONDARY AND OTHERS**

...
Advocate for the Petitioner : Shri M.S. Shaikh i/by Shri Ingle
Kachru Ananda

AGP for Respondent 1/State : Shri S.K. Tambe
Advocate for Respondent 2 : Shri A.D. Aghav
...

**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 28th March, 2023

Per Court :-

1. Considering the peculiar issue raised before us, we are not issuing notice to Respondent Nos.3 and 4, Schools at Aurangabad and Ahmednagar, respectively.

2. The Petitioner is aggrieved that Respondent Nos.3 and 4 Schools have not forwarded his proposals for seeking correction in his social status. His father has acquired the validity certificate dated 15.10.2006 by which, it is concluded that he belongs to “Teli” caste falling in the Other Backward Class (OBC). His mother, whose social status is indicated as “Hindu

Lonari” is estranged from the father and is living separately. She admitted the Petitioner in school and she wrote his social status in the school records as “Hindu Lonari”.

3. The learned AGP submits that if the Schools forward the concerned proposals tendered by the Petitioner to the Education Officers, both Secondary and Primary, the issue can be dealt with.

4. It is settled law that a person acquires his social status from the father. The Petitioner’s father has been granted a validity certificate.

5. In view of the above, **this Writ Petition is disposed off** with the following directions:-

(a) A copy of this order would be served by the Petitioner on Respondent Nos.3 and 4.

(b) Respondent Nos.3 and 4 would tender the pending proposals of the Petitioner for correction in his social status, to Respondent Nos.1 and 2, respectively, within thirty days from today.

(c) After the proposals reach Respondent Nos.1 and 2, they would consider the same and issue appropriate orders, within thirty days from the date of receipt of the proposals.

(d) We make it clear that we have not expressed any opinion as regards the merits of the claim of the Petitioner.

(e) Needless to state, if the Petitioner's grievance is redressed and in future, he decides to seek a validity of his social status, this order would not create any equities in his favour and the same would not be cited as a ground for seeking a validity certificate. In short, his claim for validation would be considered on it's own merits.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)