

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

909 WRIT PETITION NO.2894 OF 2023

ONKAR SHANKAR SOLANKE
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH ITS SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Vishal A. Bagal.
AGP for Respondent No.1 : Mr. P. S. Patil.
Advocate for Respondent Nos.2 & 3 : Mr. Vinod M. Vibhute.
Adv. for Respondent No.4 : Ms. Nayana Patil, h/f Mrs. Surekha Mahajan.
Advocate for Respondent No.6 : Mr. S. B. Solanke.
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CORAM : **RAVINDRA V. GHUGE &
SANJAY A. DESHMUKH, JJ.**

DATE : 16th March, 2023.

Per Court:

1. On 13th March, 2023, we had passed the following order:-

“1. Leave to add “Nutan Vidyalaya, Selu, Taluka Selu, District Parbhani, through it's Headmaster” as Respondent No.5 and “Lal Bahadur Shastri Arts, Comars & Science College, Partur, Tq. Partur, District Jalna, Partur, through it's Principal" (sic Commerce), as Respondent No.6. Addition be carried out forthwith.

2. The petitioner's request before the Court is that though his school record indicates his father's name as “Shankarrao”, it should actually be “Shankar” considering his father's education record from the Lal Bahadur Shastri College.

3. At the request of the learned Advocate for the Petitioner that he would inform the school as well as the college by personal notice, list this petition on 16.03.2023 (Thursday) in the passing orders category.”

2. The issue before us is that the Petitioner’s father’s name is pronounced as “Shankar” instead of “Shankarrao” and his mother’s name “Umatai” is pronounced as “Urmila”. The original record brought before us by the learned Advocate representing Respondent No.6, with regard to the father of the Petitioner, does indicate that his name is written as “Shankar” at all places. Nowhere his name is written as “Shankarrao” in his any school / college record. The record pertaining to the biological sister of the Petitioner, namely Solanke Apurva Shankar, also indicates the name of the father as “Shankar” and the name of the mother as “Urmila”. The Adhar card of the Petitioner’s father indicates his name as “Shankar” and the name of the mother in the similar record is indicated as “Urmila”.

3. As such, the issue before us is only with regard to removing 3 alphabets from the name of the Petitioner, which would not lead to a complete change in the name. In so far as the name of the mother is concerned, she is known by her nickname in family circles as “Umatai”, out of respect, though her original name is “Urmila”.

4. As such, it seems that on account of a mistake while writing the name of the father and the mother in the school record of the Petitioner, their names have been wrongly spelled. The records pertaining to the father as well as the mother of the Petitioner, indicate the correct spelling and pronouncement. The biological sister's record also indicates the correct names.

5. In view of the above, we deem it appropriate to observe that there is no difficulty in removing the 3 alphabets from the name of the Petitioner's father so as to be correctly pronounced as "Shankar" and the name of the mother of the Petitioner to be pronounced and spelled as "Urmila".

6. With these observations, this Petition is disposed off with liberty to the Petitioner to move an application under Rule 26 (4) of the SS code, to the Headmaster of the school for seeking such corrections. We expect the Headmaster of the school to read this order and accordingly, initiate steps by following the due procedure laid down.

7. Needless to state, the proposal would be forwarded by the Headmaster to the Education Officer, on or before 24th March, 2023 and the Education Officer would pass appropriate orders, on or before

3rd April, 2023 by 02:00 pm. This procedure be adopted for seeking corrections in both the certificates of the Petitioner. Both these actions should be completed simultaneously by 02:00 pm on 3rd April, 2023. After this entire exercise is over, we expect the SSC Board to issue corrected SSC/HSC certificates by 02:00 pm on 5th April, 2023.

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[SANJAY A. DESHMUKH, J.]

[RAVINDRA V. GHUGE, J.]