

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

907 WRIT PETITION NO.5266 OF 2023

MANISHA ASHOK CHOURE MANISHA ASHRUBA CHOURE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Totawad Omprakash D.
AGP for Respondent Nos. 1 : Mr. S.G. Sangale
Advocate for Respondent No. 2 : Mr. Suryawanshi Prashant D.
Advocate for Respondent No. 3 : Mr. S.S. Thombre

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908 WRIT PETITION NO.5274 OF 2023

VIJAY ASHOK CHOURE ALIAS VIJAY ASHRUBA CHOURE THROUGHITS
NATURAL GUARDIAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Totawad Omprakash D.
AGP for Respondent Nos. 1 : Mr. S.G. Sangale
Advocate for Respondent No. 2 : Mr. Suryawanshi Prashant D.

...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 09.08.2023

PER COURT :

Heard both the sides finally.

2. The petitioners in both these petitions are seeking correction of their school record in respect of first name of their father. By the similar orders, the respondent No. 2-Education Officer (Secondary) has refused the proposals received by him from the headmasters of the schools on the ground that by virtue of Clause 26.4 of the Secondary School Code, the school record cannot be corrected after the pupil has passed out of the

school. In fact, the full bench of this Court in the matter of **Janabai d/o Himmatrao Thakur Vs. State of Maharashtra and Ors.; 2019 (6) Mh.J.J. 769**, has expressly laid down that this is not a legally sustainable ground. If it is an obvious mistake, such correction can be made even after the pupil has left the school. Consequently, only reason assigned by the respondent No. 2-Education Officer (Secondary) in both these matters to refuse or reject the proposals for correction of the school record is not sustainable in law.

3. The Writ Petitions are allowed. The impugned orders are quashed and set aside. The matters are remitted back to the respondent No. 2-Education Officer (Secondary) Zilla Parishad Beed for decision afresh in the light of the decision in the matter of **Janabai d/o Himmatrao Thakur** (supra). The decision shall be taken as expeditiously as possible and in any case within four weeks from today.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-