

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

WRIT PETITION NO. 6044 OF 2022

Shaikh Iqbal Maheboob

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Shaikh Farukh V. Patel, Advocate for the Petitioner.

Shri P. S. Patil, Addl.G.P. for the Respondent Nos. 1 to 3 and 6.

Shri Umesh S. Mote, Advocate for the Respondent No. 4.

Shri V. A. Bagdiya, Advocate for the Respondent No. 7.

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

DATE : 04 AUGUST 2023.

FINAL ORDER :

. Heard both the sides including the learned advocate who appears for the respondent No. 7/Head Master.

2. The petitioner has been seeking correction of the date of birth in the school record. The Education Officer (Secondary) has rejected it on the ground that she had already left the school and correction cannot be made by resorting to Clause 26.4 of the Secondary School Code. The appeal has also been dismissed.

3. We allow the writ petition, quash and set aside both the orders in the light of the decision of the Full Bench of this Court in the matter of **Janabai D/o Himmatrao Thakur Vs. The State**

of Maharashtra and another reported in **2019(6) Mh.L.J. 769.**

We direct the respondent No. 7/Head Master to forward fresh proposal to the Education Officer (Secondary), Zilla Parishad, Aurangabad, who shall pass fresh order in the light of the judgment of the Full Bench of this Court in the matter of **Janabai D/o Himmatrao Thakur Vs. The State of Maharashtra and another** (supra) within a period of six (06) weeks from today. The writ petition is disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

bsb/Aug. 23