

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

WRIT PETITION NO. 6114 OF 2022

Shaikh Afzal Shaikh Maheboob .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Shaikh Farukh V. Patel, Advocate h/f Shri Francis Viky J.
for the Petitioner.

Mrs. M. A. Deshpande, 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