

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

909 WRIT PETITION NO. 6307 OF 2022

LAXMAN SAYANNA ZENDEKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Rathi Swapnil S.
Addl.GP for the respondent – State : Mr. P.S. Patil
...

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

DATE : 18 AUGUST 2023

ORAL ORDER (MANGESH S. PATIL, J.) :

Heard learned advocate for the petitioner and the learned AGP who appears for the respondents 1 and 2 finally.

2. The limited challenge of the petitioner is to the order passed by the respondent no. 2 dated 16-02-2022 whereby proposal for correction of his school record in respect of the reference to the caste has been turned down by the respondent no. 2 on the ground that by virtue of clause 26.4 of the Secondary School Code, no such request can be considered after the petitioner has left the school.

3. Suffice for the purpose to refer to the Full Bench decision of this Court in the matter of **Janabai d/o. Himmatrao Thakur Vs. State of Maharashtra and Ors.; 2019 (6) Mh.L.J. 769**. It has been laid down inter alia that if it is an obvious mistake for correction of the

school record that can be done even after the children has left the school by resorting to the selfsame provision of clause 26.4.

4. The writ petition is partly allowed.

5. Impugned order is quashed and set aside. The matter is remanded back to the respondent no. 2 who shall pass a fresh order in the light of the decision in the matter of ***Janabai d/o. Himmatrao Thakur Vs. State of Maharashtra and Ors.*** (supra) as expeditiously as possible and in any case within four weeks.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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