

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

WRIT PETITION NO. 8145 OF 2023

Anil Ramling Dhonde .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Ramrao D. Biradar, Advocate for the Petitioner.

Shri A. S. Shinde, A.G.P. for the Respondent Nos. 1 and 2.

Shri Santosh B. Pulkundwar, Advocate for the Respondent No. 3.

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

DATE : 11 JULY 2023.

FINAL ORDER :

. Heard learned advocate for the petitioner, learned Assistant Government Pleader and the learned advocate Mr. Pulkundwar, who appears for the respondent No. 3/Education Officer (Primary).

2. The petitioner is seeking correction of date of birth in the school record.

3. By the impugned order the respondent No. 3 has refused to consider the request only on the ground of Rule 26-IV of the Secondary School Code, the petitioner having left the school the request cannot be entertained.

4. The issue has been put on rest by 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.**

5. Without expressing anything on merits, we quash and set aside the impugned order and remit the matter back to the Education Officer (Primary), who shall pass order afresh on its own merits, but shall not reject the application only on the ground that the petitioner is no longer studying in the school . The decision shall be taken as expeditiously as possible and in any case within a period of six (06) weeks from today. The writ petition is disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

bsb/July 23