

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

**WRIT PETITION NO.8848 OF 2022**

**MADIHA TAZEEN SHAIKH ABDUL JAVED  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH SECRETARY  
AND OTHERS**

...

Advocate for the Petitioner : Ms.Ansari Asfia N  
AGP for Respondents 1 to 3/State : Shri S.P. Tiwari  
Advocate for Respondent 5 : Shri U.S. Mote

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**CORAM : RAVINDRA V. GHUGE  
&  
SANJAY A. DESHMUKH, JJ.**

**DATE :- 06<sup>th</sup> April, 2023**

**Per Court :-**

1. The learned Advocate representing Respondent No.4 is not present.
2. We have heard the learned Advocates for the Petitioner and the Respondents, extensively. This case pertains to a mistake that has occurred in the record of the Petitioner at the schooling level and thereafter, wherein, her father's name has been written as "Shaikh Javed Akhtar" instead of Shaikh Abdul Javed s/o Abdul Razzak. The Junior College Leaving Certificate of the Petitioner's father indicates his name as Abdul Javed

Abdul Razzak Shaikh. In the Sanitary Inspector Diploma Marks memo, All India Institute of Local Self Government, mentions the name of the father of the Petitioner as Shaikh Abdul Javed Abdul Razzak. The passing certificate of Sanitary Inspector's Diploma issued by the Director General, All India Institute of Local Self Government, Mumbai, indicates his name as Shaikh Abdul Javed Abdul Razaak. There are several documents on record to indicate this correct name of the Petitioner's father.

3. It is in the school record of the Petitioner that her father's name was wrongly written as Shaikh Javed Akhtar, for the first time.

4. The impugned orders pertain to the refusal of the Education Officer and the Deputy Director of Education, in correcting the father's name of the Petitioner, solely on the ground that the Petitioner is no longer in the school. It is well settled that though a student has left the school, the correction in the name can be permitted under Rule 26(3) and Rule 26(4) of the Secondary School Code. We do not find that there could be any impediment in this case in the light of paragraph 39 of the judgment of the Full Bench of this Court in *Janabai d/o. Himmatrao Thakur Vs. State of Maharashtra & Others, 2019(6)*

***Mh.L.J.769 (FB).***

5. In view of the above, **this Writ Petition is partly allowed** by quashing the impugned orders dated 21.11.2021 and 03.03.2022.

6. We direct Respondent No.4 to forward the proposal of the Petitioner for correcting her father's name as Abdul Javed s/o Abdul Razzak Shaikh, within seven days from today, to Respondent No.3. Respondent No.3 would verify the proposal and pass appropriate orders permitting the change of name, within seven days thereafter. The Petitioner shall place the said order before Respondent No.5, who shall issue the corrected SSC and HSC certificates within 10 days thereafter.

*kps* (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)