

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

949 WRIT PETITION NO.10300 OF 2023

DIPALI DEVIDAS PATIL
VERSUS
THE STATE OF MAHARASHTRA THROUGH
THE SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Salve Avinash Rangnathrao
AGP for the respondent – State : Mr. A.S. Shinde
Advocate for respondent no. 3 : Mr. D.Y. Nandedkar
...

**CORAM : MANGESH S. PATIL &
NEERAJ P. DHOTE, JJ.**

DATE : 3 NOVEMBER 2023

PC :

Heard.

2. The petitioner is seeking correction in the school record in respect of the caste column in the school register.

3. We have heard the learned advocate for the petitioner, the learned advocate for the respondent no. 3 – Headmaster as also the learned AGP.

4. By the impugned communication, the respondent no. 3 – Headmaster has simply refused to consider the petitioner's request only on the ground that she had left the school and by virtue of clause

26.4 of the Secondary School Code, 1977, the request cannot be considered.

5. Suffice for the purpose to observe that in the matter of ***Janabai d/o. Himmatrao Thakur Vs. State of Maharashtra and Ors.; 2019 (6) Mh.L.J. 769***, this Court has elaborately considered the relevant provisions of the Secondary School Code and has inter-alia observed that even after the student leaves the school, the school register can be corrected in the given circumstances.

6. In the light of the above, the respondent no. 3 – Headmaster could not have refused to process the petitioner's request only on the ground that she had left the school.

7. We allow the writ petition partly and direct the respondent no. 3 – Headmaster to forward the proposal to the Education Officer (Secondary) (respondent no. 2) within two weeks who shall thereafter take appropriate decision in accordance with law and in the light of the decision in the matter of ***Janabai*** (supra) within four weeks from the date of receipt of the proposal.

[NEERAJ P. DHOTE]
JUDGE

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[MANGESH S. PATIL]
JUDGE