

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

WRIT PETITION NO.11108 OF 2023

Dongar Dhoman Navsare,
Age : 69 years, Occu : Agril,
R/o. Village Anandkhede,
Tal. & Dist. Dhule

.. Petitioner

Versus

1. The State of Maharashtra
through its Secretary,
School Education Department,
Government of Maharashtra,
Mantralaya, Mumbai.
2. The Education Officer (Primary),
Zilla Parishad, Dhule
3. The Headmaster,
Z.P. Marathi Mulanchi Kendra Shala,
Anandkhede, Tal. & Dist. Dhule

.. Respondents

...

Advocate for Petitioner : Mr. Nilesh N. Bhagwat
AGP for Respondent / State : Mr. M. M. Nerlikar
Advocate for Respondent No.2 : Mr. N. N. Desale

...

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

DATED : DECEMBER 06, 2023

PER COURT :

. Heard both the sides.

2. The petitioner's request for correction of the school record has been rejected by the respondent no.2 - Education Officer (Primary) on the ground that he had left the school, even without adverting to the decision in the matter of **Janabai d/o. Himmatrao Thakur Vs. State of**

Maharashtra and Ors.; 2019 (6) Mh.L.J. 769 which was expressly cited by the petitioner in his representation / application dated 22.05.2023 which finds in reference clause at Serial No.6.

3. Indeed, if the decision of the Full Bench in the matter of **Janabai d/o. Himmatrao Thakur** (*supra*) was cited before the Education Officer, he should have taken pains at least to say something as to why its benefit cannot be extended to the petitioner.

4. In light of the above, we proceed to pass the following order:

ORDER

- (i) The writ petition is partly allowed.
- (ii) The impugned order is quashed and set aside.
- (iii) The matter is remitted back to the respondent no.2 – Education Officer (Primary), Zilla Parishad, Dhule, who shall take a fresh decision strictly in accordance with the observations of this Court in the matter of **Janabai d/o. Himmatrao Thakur Vs. State of Maharashtra and Ors.; 2019 (6) Mh.L.J. 769** and shall give specific reasons, if he chooses to reject the application. The decision shall be taken within four weeks from today.

[NEERAJ P. DHOTE]
JUDGE

[MANGESH S. PATIL]
JUDGE