

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13653 OF 2021

KARAN BANDU SONUNE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the Petitioner : Shri Lavte Amar V.
AGP for Respondents 1 and 3/State : Shri S.B. Yawalkar
Advocate for Respondent 2 : Ms.Nayana Patil i/by Ms.Surekha
Mahajan

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CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.

DATE :- 07th June, 2023

Per Court :-

1. The Petitioner has put forth prayer clause B as
under:-

“B) *By issuance of writ of mandamus, or any other appropriate respondent no. 2 writ, or directions be directed the to consider favourably the application of the petitioner and make change in surname of petitioner as "Karan Bandu Sonune" instead of "Karan Bandu Sonwane" in SSC Board Certificate and Marks Memo of the petitioner in the interest of justice.*”

2. We have considered the submissions of the learned
Advocates for the Petitioner and the Respondents. It is noticed

from the record that the surname of the Petitioner is actually “Sonune” and he belongs to the “Nhavi” (Barber) caste and his social status is “Other Backward Class” (OBC). It appears that the surname was mistakenly written as “Sonwane” in the marks memo and in the SSC certificate issued by the SSC Board.

3. The learned Advocate for the Petitioner makes a solemn statement, on instructions, that whether, his surname is “Sonune” or “Sonwane”, there would be no change in his social status. As his correct surname is “Sonune”, neither would there be any change in his social status, nor would the Petitioner move an application or make any claim or file a petition to change his social status, which is OBC.

4. We find that the case of the Petitioner would be covered by paragraph 39(a) to (d) of the judgment delivered by the Full Bench of this Court in *Janabai d/o. Himmatrao Thakur Vs. State of Maharashtra & Others, 2019(6) Mh.L.J.769 (FB)*. The error is clearly an “obvious mistake”.

5. In view of the above, **this Writ Petition is partly allowed** as under:-

(a) We direct Respondent No.2/Board to carryout corrections in the marks memo and the SCC certificate of the

Petitioner by mentioning his surname as “Sonune” instead of “Sonwane”.

(b) We make it clear that neither his caste as “Nhavi”, nor his social status OBC, would undergo any change.

(c) Consequentially, the order at page 17 (without date and without outward number) issued by Respondent No.2 stands quashed and set aside.

kps

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)