

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

14 WRIT PETITION NO.14466 OF 2021

MAHENDRASING HANUMANSING THAKUR
VERSUS
HEADMASTER, MUNICIPAL COUNCIL SCHOOL NO. 35 AND ANOTHER

...
Advocate for Petitioner : Mr. Gite Umesh B.
Advocate for Respondent No. 1 : Mr. A.M. Pawar
h/f. Mr. B.S. Deshmukh
AGP for Respondent No. 2 : Mr. A.S. Shinde
...

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

DATE : 09 OCTOBER 2023

PER COURT :

Heard both the sides and perused the record.

2. The petitioner is seeking correction of the school record in respect of reference to the caste. By the impugned order, the Education Officer has refused to entertain the request for the sole reason of petitioner having left the school.

3. In the light of the decision of the Full Bench of this Court in the matter of *Janabai Himmatrao Thakur Versus State of Maharashtra and others*, **2019 (6) Mh.L.J. 769**, this cannot be the ground which would be legally sustainable. The parameters have been laid down. Under clause 26.4 of the Secondary School Code, the Education Officer can even after the pupil has left the school can pass the order for correction.

4. The writ petition is allowed partly. The impugned order is quashed and set aside. The Education Officer shall pass fresh order in view of the observations of the Full Bench in the matter of *Janabai* (supra) as expeditiously as possible and in any case within a period of four weeks.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

spc/