

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

116 WRIT PETITION NO.6075 OF 2022

SEKH SIDDIQUA AFREEN SEKH AKHTAR ALI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Syed Masood Chand
AGP for Respondents: Mr. V.M. Kagne
.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 15th FEBRUARY, 2023.**

PER COURT :-

1. Despite service of court notice, respondent No.4 has not caused appearance, either in person or through an advocate.

2. On 04.01.2023, we had passed the following order:-

1. The petitioner, who is a domicile of State of West Bengal, submits that her surname in Bengali is spelt as "Sekh", though pronounced as "शेख". In Maharashtra, the same surname is spelt as "Shaikh". As the father of the petitioner migrated to Maharashtra and she was admitted in school and has taken further education till M.Sc. second year, her surname has been continuously spelt as "Shaikh". She applied to the Maharashtra Government by filing an affidavit for change of surname and accordingly her name was changed from "Siddiqua Afreeen Shaikh Akhtar Ali" (old name) to "Sekh Siddiqua Afreeen Sekh Aktar Ali (new name). She, therefore, desires that her surname be changed and one "h" appearing in the name of her father should also be

deleted.

2. *Issue notice to the respondents, returnable on 13.02.2023. The learned A.G.P. waives service of notice on behalf of respondent Nos.1 to 3."*

3. The learned A.G.P., though has opposed this petition, fairly submits that the surname of the petitioner pronounced in Hindi and Marathi as "शेख", can be spelt as "Shaikh" in Maharashtra and as "Sekh" in West Bengal. So also, it appears that the name of the father of the petitioner i.e. "शेख अख्तर अली" is spelt as "Shaikh Akhtar Ali" in Maharashtra and can be pronounced as "Sekh Aktar Ali", in West Bengal.

4. We find that the above aspect would be covered by the conclusion arrived at by the learned Full Bench, set out in paragraph 39 in the case of ***Janabai Himmatrao Thakur vs. The State of Maharashtra and others, 2019 (6) Mh.L.J.769.***

5. In view of the above, this petition is partly allowed. The name of the petitioner would read as "Sekh Siddiqua Afreen d/o Sekh Aktar Ali".

6. The rest of the prayers with regard to the name of the mother of the petitioner, are not entertained.

7. The concerned authorities would accordingly correct the record in view of the above order.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

rlj/