



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2332 OF 2024

Iqra Adeeba Anis Khan
@ Iqra Adeeba Tauseef Khan
Through her father
Anis Khan Zurawar Khan

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Kalyan V. Patil, Advocate for the Petitioner.
Mr. S. K. Shirse, AGP for Respondent Nos. 1 and 2.

CORAM : SMT. VIBHA KANKANWADI AND
S. G. CHAPALGAONKAR, JJ.

DATE : 29th FEBRUARY, 2024.

PER COURT :-

. Leave to amend and place on record proper Vakalatnama and verification to be complied with within a period of one (01) week from today.

2. Issue notice to the respondents. The learned A.G.P. waives notice for respondent Nos. 1 and 2. No necessity to issue notice to respondent Nos. 3 to 5.

3. In view of the Full Bench judgment of this Court in the case of Janabai d/o Himmatrao Thakur Vs. State of Maharashtra and others

reported in **2019 (6) Mh.L.J. 769** wherein, it is held in paragraph No. 39 as under :

39. This being the position, We answer Question Nos. (A) & (C) in the following terms :

(a) An application for alteration in the entries in the General Register is permissible, with the previous permission of the appropriate authority at any time when the pupil is attending the school.

(b) No application for alteration in the figure of date of birth is permissible, after the student has left secondary school, except correction in the nature of 'obvious mistakes' as indicated in Clause 26.3 i.e. of a nature where the date of a particular month which does not exist in the calendar and likewise.

(c) Thus, in light of the above, an application for change in the name, surname or caste, either due to reasons/cause unnoticed before or even occurring subsequently, being errors which fall within the category of 'obvious mistakes', can be made, even after the student has left school in light of the language of Clause 26.3 in the manner as indicated by Appendix Six in the forms as prescribed in the S.S. Code.

(d) For the purposes like admission to another educational institution, in cases of obvious mistakes as prescribed in Clause 26.4, a change/correction in the school leaving certificate, so as to make the entry consistent with the corresponding entries in the General Register of the School is permissible, which in fact is in consonance with (c) above.

4. Therefore, the impugned order passed by respondent No. 2 that such correction is not permissible does not hold correct proposition. It appears that, the said decision is rendered in view of Full Bench

decision of this Court. The matter is now relegated to him. He should decide the application dated 01.01.2024 in view of the Full Bench decision of this Court within a period of fifteen days from today.

5. The writ petition stands disposed of in terms of above.

(S. G. CHAPALGAONKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

PS.B.