



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

**WRIT PETITION NO.2381 OF 2024**

Lalita Raghunath Yele  
Age: 40 years, Occu.: Household,  
R/o. Pimpalwadi (Pi.), Tq. Paithan,  
District Aurangabad

**.. PETITIONER**

**VERSUS**

1. The State of Maharashtra  
Through its Secretary,  
Govt. School Education  
and Sport Department,  
Mantralaya, Mumbai-32.
2. The Maharashtra State Board of  
Secondary and Higher Secondary  
Education, Division,  
Station Road, Osmanpura,  
Aurangabad.
3. The Education Officer (Secondary),  
Education Department,  
Zilla Parishad, Aurangabad.
4. Headmaster,  
Shahu Vidyalay Jayakwadi (Utter),  
Tq. Paithan, District Aurangabad.

**.. RESPONDENTS**

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Mrs. A. S. Deshmukh, Advocate for the petitioner.  
Mr. N. S. Tekale, AGP for respondent Nos.1 and 2 – State.

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

**DATE : 1<sup>st</sup> MARCH, 2024.**

**ORDER [Per Smt. Vibha Kankanwadi, J.] :-**

. By praying for constitutional powers under Article 226 of the  
Constitution of India, the petitioner wants correction in her name i.e.

the father's name and surname in the certificate and mark memo of the SSC Board.

2. Heard learned Advocate for the petitioner and learned AGP for respondent Nos.1 and 2 – State. From the contents of the petition as well as submissions, it is not necessary to issue notice to the rest of the respondents.

3. The petitioner contends that she is educated up to 10<sup>th</sup> standard. She is married and homemaker. She had applied to respondent No.3 for correction in father's name and surname on her birth certificate as it was incorrect. Her maiden name is Lalita Damu Bhise, however, inadvertently it came to be entered as Lalita Raghunath Yele. She submitted all the necessary documents to correct the name, but respondent No.3 refused. She submits that her father is educated upto 4<sup>th</sup> standard and mother is illiterate and, therefore, they were not aware about the seriousness and consequences of mentioning incorrect name in the birth certificate and other documents. She says that she is the only daughter to her parents. Now, her father, who was Class-4 worker in Irrigation Department, Sub Division, Jalna, died on 01.01.2012 and she is seeking compassionate appointment. Her name came to be added in Class – C proposal list dated 31.12.2017. She can support her mother. She also submits that her husband had left her, as he is drunkard and jobless. Therefore, she is living with her

mother and is barely in need of appointment/job and, therefore, she has prayed for writ to correct her name.

4. The first and the foremost fact to be noted is that as per the birth certificate and school record her birth date is 29.08.1985. Since then her name was entered as Lalita Raghunath Yele. We can understand that if there is some mistake preferably spelling mistake to be corrected in the first name or middle name or surname, but here the name and surname would change. Another fact is that though her father's name is Damu Bhise, her name appears to have taken in the list for compassionate appointment. When it would totally change the name of the father as well as surname and there was opportunity since 1985, at no point of time there was an attempt on her part or her parent's part to get the name corrected, we do not find this to be a fit case where we should exercise our constitutional powers. It involves disputed facts and hence, the writ petition stands rejected. '

**[ S. G. CHAPALGAONKAR ]**  
**JUDGE**

**[ SMT. VIBHA KANKANWADI ]**  
**JUDGE**

scm