



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

WRIT PETITION NO. 4077 OF 2024

Eknath Janardhan Kedari .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Swapnil S. Rathi, Advocate for the Petitioner.

Shri R. S. Wani, A.G.P. for the Respondent Nos. 1 and 2.

Shri A. R. Gaikwad, Advocate for the Respondent No. 3.

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

DATE : 14 JUNE, 2024.

FINAL ORDER (Per Shailesh P. Brahme, J.) :-

. Heard both the sides.

2. Petitioner is aggrieved by the communication dated 12.03.2024 issued by the respondent No. 2/Education Officer refusing to correct the school record.

3. After passing from the respondent No. 3, petitioner submitted an application on 29.02.2024 seeking correction in the caste which is recorded in the school record. According to him, inadvertently caste Lingder has been recorded instead of Wani. In support of his claim school record of his real brother and sister and caste certificate of his sister were produced by him. Application was forwarded by the respondent No. 3/Head Master

to the Education Officer.

4. By the impugned order/communication, Education Officer refused to consider the claim of the petitioner on hyper technical ground. There is no adjudication and application of mind. In view of Full Bench decision rendered in the matter of Janabai D/o Himmatrao Thakur Vs. The State of Maharashtra and another reported in *2019(6) Mh.L.J. 769*, we are inclined to quash and set aside the impugned communication/order and direct the respondent No. 2/Education Officer to consider the application afresh in the light of above referred judgment of the Full Bench.

5. Writ petition is disposed of with direction to the respondent No. 2/Education Officer to decide the application of the petitioner afresh considering above case law and the decision shall be taken as expeditiously as possible and in any event within a period of four (04) weeks from today. He shall not reject the proposal on the grounds stated in impugned order.

[SHAILESH P. BRAHME, J.] [MANGESH S. PATIL, J.]

bsb/June 24