



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

104 WRIT PETITION NO. 4288 OF 2024

UJWAL BHAGWANTRAO PATIL

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS

...

Advocate for the Petitioner : Mr. Savant Vilas P
AGP for Respondent nos. 1 & 2 : Mrs. P.J. Borade
Advocate for Respondent no. 3 : Mr. E.S. Potdar

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

DATE : 19.08.2024

PER COURT :

Heard.

2. The petitioner is seeking correction of the school record to the extent of his surname and is aggrieved by the order passed by the respondent no. 2-Education Officer (Secondary) refusing to consider the request only on the ground that the correction in surname cannot be ordered in the light of Clause 26.4 of the Secondary School Code, in spite of the specific wording of Clause 26.4 referring to correction even in the surname.
3. No other ground is relied upon by the Education Officer (Secondary) while passing the impugned order. Since it is *ex facie* inconsistent with the provision of Clause 26.4, the writ petition is allowed.
4. The impugned order is quashed and set aside. The respondent no. 2-Education Officer (Secondary) shall pass a fresh order on the self same proposal, as expeditiously as possible, and in any case within four weeks.

However, the proposal shall not be rejected on the ground mentioned in the impugned order/communication.

4. In passing the fresh order, the respondent no. 2-Education Officer (Secondary) would be guided by the decision of the full bench of this Court in the matter of **Janabai d/o Himmatrao Thakur Vs. State of Maharashtra and Ors.**; 2019 (6) Mh.J.J. 769.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-