



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

**WRIT PETITION NO. 6820 OF 2024
WITH CIVIL APPLICATION NO. 12696 OF 2024**

**GOPALSINGH MAHAVIRSINGH SARAF
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS**

...
Mr. Avinash Salve, Advocate for the petitioner.
Mr. S.P. Joshi, A.G.P. for respondent Nos.1 and 2.
...

**CORAM : S.G. MEHARE &
SHAILESH P. BRAHME, JJ.**

DATED : 6 DECEMBER 2024

ORDER:-

. Heard both sides finally considering the exigency in the matter. By way of civil application, the petitioner has placed on record the communication dated 22.11.2024 addressed by respondent No.2 – Education Officer. Petitioner's proposal for correction in the surname has been turned down by the impugned communication only on the reason that the petitioner ceased to be the student of the school.

2. The petitioner sought correction in his surname. It is wrongly recorded as "Saraf". It should have been "Rajput". His application was returned by communication dated 20.07.2023 by respondent No.3-School. It appears from the

record that simultaneously the proposal for correction was also forwarded by the School to respondent No.2 – Education Officer on 19.11.2024. By the impugned communication, the said proposal is rejected.

3. Learned A.G.P. supports the impugned order/communication.

4. The present case is squarely covered by the Larger Bench Judgment of this Court in the case of *Janabai Himmatrao Thakur vs The State of Maharashtra and others, (2019) 6 MAJ LJ 769*. The reason cited by respondent No.2 – Education Officer in the impugned communication is unsustainable. There is no scrutiny of the proposal of petitioner to find out as to whether the mistake is obvious or not. We are inclined to quash the impugned communication and relegate the parties to respondent No.2 – Education Officer to conduct objective scrutiny and decide the proposal.

5. The petition is allowed partly.

6. The communication dated 22.11.2024 is quashed and set aside. The matter is relegated to respondent No.2 – Education Officer to consider the proposal afresh and in view of the judgment in the case of Janabai Thakur (supra) and

supporting material of the petitioner.

7. The decision shall be taken within a period of four weeks from today.

8. Civil application stands disposed of accordingly.

(SHAILESH P. BRAHME)
JUDGE

(S.G. MEHARE)
JUDGE