



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 WRIT PETITION NO. 7048 OF 2024

SYED SARTAJ SYED AHMED

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SCHOOL EDUCATION
AND SPRTS DEPARTMENT AND OTHERS

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Mr. K. N. Shermale, Advocate for the Petitioner
Mr. N. S. Tekale, AGP for Respondents State
Mr. U. S. Mote, Advocate for Respondent No.2
Mr. P. D. Suryawanshi, Advocate for Z.P. Beed

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 11th July, 2024

ORDER:

1. The Petitioner claims that his date of birth has been wrongly registered in the school as 03.06.1983. Actually, the date is 03.09.1983. He further submits that it is only a matter of three months. The impugned order passed by the Education Officer (Primary) declining to verify the claim of the Petitioner and pass an appropriate orders, is only because the Petitioner is no longer in the school and reference is made to Clause 26.4 of the Secondary School Code.

2. This issue has been dealt with by the learned Full Bench of this Court in the case of **Janabai Himmatrao Thakur Vs. State of Maharashtra 2019 (6) Mh.L.J. 769** and it has been concluded in para 39 that if there is an obvious mistake, the same can be corrected. So also in Paragraph No. 24, it has also been held that an application for

alteration in the figure of date of birth is permissible after the student has left the secondary school.

3. In view of the above, **this Writ Petition is partly allowed.**

4. The impugned order dated 8th July, 2021 is quashed and set aside and the matter is remitted to the office of the Education Officer, (Primary), Zilla Parishad, Beed for verification of the claim of the Petitioner and to consider the claim on its own merits.

5. In the event, the Petitioner's claim is favourably accepted, the Education Officer himself would refer the issue to the SSC/HSC Board for appropriate correction in its record and the Certificates.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan