



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8146 OF 2024

SHEKH TANVIR SHEKH HAROON
VERSUS

1. ZILLA PARISHAD PRIMARY SCHOOL KAUSADI, TQ. JINTUR DIST.
PARBHANI THROUGH ITS HEADMASTER
2. EDUCATION OFFICER (PRIMARY) ZILLA PARISHAD, PARBHANI
DIST. PARBHANI

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Advocate for the Petitioner : Mr. Deshmukh Mahesh S.
Advocate for respondent Nos.1 and 2 : Mr. S.R. Yadav Lonikar
AGP for Respondent/State : Mr. K.S. Patil

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

DATE : 01.08.2024

ORDER (PER : SHAILESH P. BRAHME, J.) :

Heard both the sides.

2. The petitioner is aggrieved by rejection of his application dated 27.07.2024, on the same date, by the respondent No.1 – Headmaster of the school. The application was submitted for correction in the caste of school record of the petitioner from ‘Chapparband’ to ‘Musalman’.

3. As per Regulation 26.4 of the Secondary School Code, 1977, it is imperative for the headmaster to forward the application to the Education Officer instead of rejecting the same. The respondent No.1 –

headmaster erred in rejecting the application.

4. We, therefore, quash impugned order and dispose of this writ petition by directing the respondent No.1 to forward the application of the petitioner to the respondent No.2 for further action within a period of one week. The respondent No.2 shall decide the application on its own merits considering the law laid down in the matter of **Janabai d/o Himmatrao Thakur Vs. State of Maharashtra and Ors.; 2019 (6) Mh.L.J. 769** within a period of one week, thereafter.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

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