



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

WRIT PETITION NO. 13192 OF 2024

ALMAS BEGUM YOUSUF KHAN PATHAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...
Advocate for the Petitioner : Mr. Syed Masood Chand
AGP for Respondents No.1 to 3 : Mr. S. S. Dande
...

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

DATE : 04-12-2024

PER COURT:-

1. Heard. Issue notice to the respondents.
2. The learned A.G.P. waives service of notice for respondents No.1 to 3.
3. As respondent No.4 is a formal party, no notice is issued to him.
4. With the consent of the parties, the matter is taken up for final disposal.
5. The petitioner is aggrieved by the order passed by respondent No.3 - Education Officer rejecting her proposal for correction in the school record.

6. The petitioner had submitted application to respondent No.4 for correction of her birth year in the school record. She had claimed that her correct date of birth is 13.04.1995. However, it was incorrectly written as 13.04.1994. Her application was forwarded to respondent No.3 - Education Officer on 03.11.2023. Respondent No.3, by way of order dated 30.09.2023, rejected the proposal of the petitioner only on the ground that the petitioner ceased to be student of the school concerned.

7. The present case is squarely covered by the decision in the case of ***Janabai d/o. Himmatrao Thakur vs. State of Maharashtra and others, 2019(6) Mh.L.J. 769.*** Only reason cited by respondent No.3 is unsustainable. The petitioner has material to support her claim. Respondent No.3/authority needs to consider the material on merit to find out as to whether there is obvious mistake or not in the birth year.

8. In that view of the matter, we find that the impugned order is unsustainable.

9. The writ petition is allowed partly.

10. The impugned order is quashed and set aside.

11. Respondent No.3 shall consider the proposal of the petitioner on its merit and dispose it of within four weeks, considering the material of the petitioner and law laid in ***Janabai d/o.***

Himmatrao Thakur (supra).

12. In view of the above, the writ petition stands disposed of.

[SHAILESH P. BRAHME]
JUDGE

[S. G. MEHARE]
JUDGE

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