



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2015 OF 2025

SAMBHAJI VISHWAMBAR PADGHAN

VERSUS

THE STATE OF MAHARASHTRA
THROUGH PRINCIPAL SECRETARY EDUCATION DEPARTMENT

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Advocate for the Petitioner : Mr. Quadri Tabrezuddin

AGP for Respondent No. 1 : Mr. S. R. Wakale

Advocate for Respondent No. 2 : Mr. V. C. Patil h/f. Mr. U. B. Bondar

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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.

DATE : 12.02.2025

PER COURT :

. Petitioner is seeking correction of the school record to the extent of caste.

2. By the communication/order, the Education Officer (Primary) has refused to exercise powers under Clause 26.4 of the Secondary School Code, 2006, on the ground that the petitioner had already left the school.

3. The Education Officer ought to have taken a decision in light of the law laid down in the matter of *Janabai d/o Himmatrao Thakur Vs. State of Maharashtra and Ors.*; 2019 (6) Mh.J.J. 769, which permits such powers to be exercised in an appropriate case.

4. The writ petition is partly allowed. The impugned order is quashed and set aside. The matter is remitted back to the Education Officer for a fresh decision on the same proposal, but meticulously going through the decision in the matter of ***Janabai d/o Himmatrao Thakur*** (*Supra*). The decision shall be taken as expeditiously as possible, and in any case, within six (06) weeks.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

jhs/