



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2713 OF 2025

DINESH MALLU CHAUDHARI
(AS PER SCHOOL RECORD - DINESH SHANTILAL PARDESHI)

VERSUS

1. THE STATE OF MAHARASHTRA THROUGH THE SECRETARY,
SCHOOL EDUCATION & SPORTS DEPARTMENT, MANTRALAYA,
MUMBAI – 32.
2. THE EDUCATION OFFICER (PRIMARY), ZILLA PARISHAD,
PARBHANI.

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Advocate for the Petitioner : Mr. Manish Purushottam Tripathi
AGP for Respondent No. 1 : Mr. V. M. Kagne
Advocate for Respondent No. 2 : Mr. B. A. Shinde

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

DATE : 27.02.2025

PER COURT :

. The petitioner is seeking correction of the school record and objects to the decision taken by respondent No. 2 - the Education Officer (Primary), Zilla Parishad, Parbhani, refusing to exercise the power under Clause 26.4 of the Secondary School Code, solely on the ground that the petitioner has left the school.

2. In light of decision of the full bench in the matter of *Janabai d/o Himmatrao Thakur Vs. State of Maharashtra and Ors.; 2019 (6) Mh.J.J. 769*, a pupil leaving the school cannot *ipso facto* be the ground for rejection of such a request, and there could be exception as well as carved in the judgment. The impugned order does not take into consideration those parameters and would not be legally sustainable.

3. The writ petition is partly allowed.

4. The impugned order dated 02.09.2024, passed by respondent No. 2 - the Education Officer (Primary), Zilla Parishad, Parbhani, is quashed and set aside. He shall consider the same proposal afresh on its own merits, particularly in light of the decision of this Court in the matter of *Janabai d/o Himmatrao Thakur* (Supra), as expeditiously as possible, and in any case, within six (06) weeks.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

jhs/