



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7812 OF 2025

Ramesh Punjaji Bhise And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

...

- Mr. Nirmal Ramrao G., Advocate for the Petitioners
- Ms. P. V. Diggikar, AGP for Respondent No. 1 - State

...

CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.

DATE : 11.09.2025

PER COURT :

1. In this petition, on 14.08.2025, this Court issued notice for final disposal, returnable today. The learned AGP appears for respondent No. 1.
2. The learned counsel for the petitioners has tendered an affidavit of service, showing that respondent Nos. 2 and 3 have been duly served. The affidavit of service is taken on record. Despite service, respondent Nos. 2 and 3 have chosen not to appear before this Court. In this backdrop, the petition is taken up for final disposal.
3. By the impugned order, respondent No. 2 – the Education Officer (Primary), Zilla Parishad, Parbhani, has rejected the proposal

forwarded by respondent No. 3 – the Headmaster for correction of name of the mother of the petitioner in the school record. Respondent No. 2 – the Education Officer (Primary) was expected to exercise powers under Rule 26.4 of the Secondary School Code, 2015.

4. In the impugned order dated 14.02.2025, respondent No. 2 has recorded that the proposal of the petitioner cannot be considered as he has already left the school. We find that the aforesaid sole ground for rejection of the proposal is unsustainable. Rule 26.4, read with Appendix 6 of the Secondary School Code, 2015, shows that even if the student has left the school, such an application can be considered on its own merits.

5. In view of the above, the impugned order dated 14.02.2025, is quashed and set aside and the matter is remanded back to respondent No. 2 – the Education Officer (Primary), Zilla Parishad, Parbhani to reconsider the proposal forwarded by respondent No. 3 – the Headmaster in respect of the petitioner.

6. The respondent No. 2 – the Education Officer (Primary), Zilla Parishad, Parbhani shall decide the said proposal within a period of six (06) weeks from today, strictly in accordance with law by exercising power under Rule 26.4, read with Appendix 6 of the

Secondary School Code, 2015.

7. It is made clear that this Court has expressed no opinion on the merits of the matter.

8. In view of the above, the writ petition is **disposed of**.

9. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)