



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

948 WRIT PETITION NO. 8324 OF 2025

Tulshiram Shivajirao Kundarge

VERSUS

The State Of Maharashtra And Others

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Mr. Subhedar Mayur Mangesh, Advocate for the Petitioner

Mr. S. K. Gambe, AGP for Respondents State

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

DATE : 30th July, 2025

P. C. :

1. Heard learned counsel for the petitioner.
2. The grievance of the petitioner is that an application moved by him before the Education Officer (Secondary), Zilla Parishad, Hingoli for change of date of birth has not been acted upon.
3. We find that the Education Officer (Secondary), Zilla Parishad, Hingoli is not made party in the present petition. Hence, the learned counsel for the petitioner seeks leave to add the Education Officer (Secondary), Zilla Parishad, Hingoli as party respondent in the present petition. Leave to amend is granted. Amendment be carried out forthwith.
4. Although this petition is listed for the first time before this Court, considering the fact that issuing an appropriate direction in terms of the Secondary School Code would address the grievance of the

Petitioner, we are dispensing with service of notice on Respondent No.4 School, wherein, the error in the record has occurred.

5. The learned counsel for the petitioner, on instructions, submits that an appropriate application shall be made before the Headmaster of Respondent No.4 School. This is in the light of the fact that as per Rule 26.4 read with Appendix Six and Form- I of the Secondary School Code, 2015, the petitioner ought to have moved an application before the Headmaster of the School and not directly before the Education Officer (Secondary).

6. The Petition is disposed of in the following manner:

- (a) The petitioner shall move an application for correction of the date of birth in the School record before the Headmaster of Respondent No.4 School within two weeks from today.
- (b) The Headmaster of Respondent No.4 School shall consider the application and verify that it is in Form I, Appendix Six read with Rule 26.4 of the Secondary School Code, 2015 and thereafter forward the same to the Education Officer (Secondary), Zilla Parishad, Hingoli within three weeks.
- (c) Upon receipt of the application forwarded by the Headmaster, the Education Officer (Secondary), Zilla Parishad, Hingoli shall pass an appropriate order, strictly in accordance with law within a period of six weeks of receipt of the application.

7. Pending applications, if any, also stand disposed of.
8. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)

JPChavan