



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8260 OF 2025

Wasim Mohiuddin Khan

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

AND

WRIT PETITION NO. 8275 OF 2025

Mosin Mohiuddin Khan

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. Solanke Krushna S., for Petitioner in both petitions.
- Ms. S. S. Joshi, AGP for Respondent Nos.1 and 2 in WP/8260/2025.
- Mr. S. D. Ghayal, Addl. GP, for Respondent Nos.1 and 2 in WP/8275/2025.
- Mr. Vishal P. Bakal, for Respondent No.3 in both petitions.

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

DATE : 23rd JULY 2025.

ORAL ORDER : (PER – MANISH PITALE, J.)

1. In these petitions, the petitioners are aggrieved by the communications dated 20th June 2025, issued by the respondent No.3 i.e. the Headmistress of the school, rejecting a prayer made on behalf of the petitioners for correction of their names and dates of birth in the record.

2. These petitions can be disposed of at this stage itself as respondent Nos.1 and 2 are represented by the AGP and Mr. Bakal, learned counsel waives notice on behalf of respondent No.3 in both petitions.

3. It is submitted that if the procedure contemplated under Rule 26.3 and 26.4 read with Appendix-Six of the Secondary Schools Code, is applied to the facts of the present case, it becomes obvious that the said impugned communications are unsustainable.

4. It is submitted that a proper application of the said Rules along with the said Appendix-Six of the Secondary Schools Code, shows that respondent No.3 – Headmistress was required to only forward the form / proposal submitted by the petitioners for change of their names and dates of birth to the Education Officer i.e. respondent No.2. Instead of doing so, the respondent No.3 – Headmistress rejected the proposal at her own level. This is stated to be in the teeth of the said procedure. Reliance is placed on an order dated 20th August 2024, passed by this Court in ***Writ Petition No.8739 of 2024 (Junai Ambari Shafiur Rehman Ambari Vs. The State of Maharashtra and others)***.

5. This Court has perused the aforementioned Rules along

with Appendix-Six of the Secondary Schools Code, and the aforementioned order passed by this Court.

6. There is substance in the contention raised on behalf of the petitioners that the procedure in the present case is not followed as the Headmistress at her own level, rejected the proposal for change of names and birth dates, instead of forwarding the proposals to the Education Officer.

7. On this short ground, the present writ petitions deserve to be partly allowed. The impugned communications dated 20th June 2025, are set aside and respondent No.3 – Headmistress is directed to forward the proposals submitted by the petitioners to respondent No.2 – Education Officer.

8. The respondent No.2 – Education Officer shall decide the said proposals on their own merits, strictly in accordance with law.

9. This Court has made no observations on the merits of the claims made by the petitioners. The writ petitions are accordingly disposed of. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)