



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 10693 OF 2025

Lohitaksh Uddhav Navpute Under Guardian Of His Father Uddhav
Harishchandra Navpute

VERSUS

The State Of Maharashtra And Others

Mr. Bhimrao Rathod h/f Mr. S. B. Bhapkar, Advocate for petitioner
Mr. V. M. Kagne, AGP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 14th October, 2025

PER COURT :-

1. Present petition has been filed for correction of date of birth in the school record. The petitioner submits that his date of birth is 18.10.2008 however, in the school record it has been wrongly mentioned as 11.09.2009. The petitioner has filed his Birth Certificate issued by the Panacea Super Specialty Hospital, Samarthnagar, Aurangabad dated 08.10.2023 as well as Birth certificate issued by the Sub-Registrar (Birth & Death), Municipal Corporation, Ward 'D', Aurangabad dated 13.11.2023 wherein it is stated that the correct date of birth of petitioner is 18.10.2008. Respondent No. 2 by impugned order dated 07.07.2025 rejected the application on the ground that the petitioner is not taking education in the school. The petitioner is relying on the Full Bench decision of this Court in **Janabai Himmatrao Thakur vs. State of Maharashtra and others, [AIR OnLine 2019 Bombay 1055]**.

2. We are coming across many such orders, in spite of the decision of this Court in ***Janabai Thakur*** (supra), stating that the applicant/petitioner is not taking education in the school and, therefore, the authority has no jurisdiction or power to make changes in the school record. While allowing the present petition, we direct respondent No.1 to apprise the concerned authorities about the Full Bench decision of this Court in ***Janabai Thakur*** (supra) and not to reject the applications on the ground that the person is not taking education in the school. The interpretation in respect of Rule 26.4 of Secondary School Code has been interpreted by this Court and that interpretation is binding on all the authorities. Even after apprising the authorities by respondent No. 1, if we come across such orders, then this Court will consider such orders as contempt.

3. With these observations, the writ petition stands allowed.

4. Respondent No. 2 is directed to issue order and grant the proposal forwarded by respondent No. 4 in respect of change in the date of birth of petitioner in the school record within a period of 15 days from today.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi