



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

WRIT PETITION NO.8947 OF 2024

Piyush Vitthal Rathod

... **PETITIONER**

VERSUS

The State of Maharashtra & ors.

... **RESPONDENTS**

.....
Mr. Azaroddin C. Pathan, Advocate for petitioner
Ms R.P. Gaur, A.G.P. for State
Ms Nayana Patil, Advocate holding for
Ms Surekha Mahajan, Advocate for R.No.2

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**CORAM : R.G. AVACHAT AND
SUSHIL M. GHODESWAR, JJ.**

DATE : 20th SEPTEMBER, 2025

ORDER :

The petitioner wants to set right his school record with his date of birth. As per the record (Birth Certificate), the petitioner was born on 26/8/2006. The same is reflected in the Birth Register. It, however, appears that, his parents, while admitting him to the school, shown him over-age by two years.

Obviously the same was done to ensure the petitioner gets admission to the school. While admitting him to the school, his date of birth was given as 26/8/2004. Now the petitioner wants to correct the same.

2. The record indicates that, the Head Master of the school has corrected the school record. It is informed that, the Head Master has done this without previous permission of the Education Officer. Prior permission is a *sine qua non*. It also appears that, the Education Officer had earlier forwarded the proposal to the S.S.C. Board for correction of date of birth of the petitioner in S.S.C. Certificate. After having realised that the difference is of two years, and on the date of which the petitioner was admitted to the school, he was below four years of age, the Education Officer, on his own turned down the proposal.

3. Without making any observations on the merits of the matter, the order impugned herein is set aside. We direct the Education Officer to submit the proposal which he had submitted earlier, to the S.S.C. Board, within a period of six

weeks from today. The S.S.C. Board shall take a decision thereon on its own merits within a period of six months from the date of receipt of such proposal.

4. With the above directions, the Writ Petition stands disposed of.

(SUSHIL M. GHODESWAR, J.)

(R.G. AVACHAT, J.)

FMPathan/-