



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

985 WRIT PETITION NO. 11639 OF 2025

**ARSHAD RIYAJ PATHAN THR UNDER GUARDIAN FATHER RIYAZ
JABBAR PATHAN**

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

....

Mr. K. S. Solanke, Advocate for the Petitioner

Mr. S. D. Ghayal, Addl. G.P. for Respondent Nos. 1 and 2 – State

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

DATE : 24.09.2025

PER COURT :-

1. Heard learned counsel for the petitioner.
2. The present petition is filed to challenge the communication dated 08.07.2025 addressed by respondent No.2 Education Officer (Secondary), Zilla Parishad, Chhatrapati Sambhajanagar, to the Head Master of respondent No.3 school, rejecting an application forwarded by respondent No.3 for correction in school record under Rule 26.4 of the Secondary School Code, 2015.

3. The learned AGP appears on behalf of respondent Nos. 1 and 2.

4. Considering the fact that respondent No.3 Head Master of the school been forwarded the proposal submitted by the petitioner, issuance of notice to respondent No.3 is dispensed with.

5. We find that the only reason assigned by respondent No.2 Education Officer while rejecting the proposal is unsustainable on a plain reading of the aforesaid Rule. Respondent No.2 Education Officer has erroneously held that the proposal of the petitioner cannot be considered as the petitioner has already left the school. In similar matters we have taken a view that merely because the applicant seeking correction of school record has left the school cannot be a ground, not to exercise power under Rule 26.4 of the aforesaid Code for correction of the school record. The aforesaid Rule read with Appendix-VI to the Code makes it sufficiently clear that such an application / proposal at the behest of a person who has already left the school can also be considered on its own merits.

6. In view of the above, the impugned order is quashed and set aside. The matter is remanded to respondent No.2 Education Officer for consideration afresh. The said respondent shall decide the proposal within a period of four weeks from today.

7. It is made clear that the proposal shall be decided on its own merits, in accordance with law and that this Court is not expressed opinion on the merits of the matter.

8. The Writ Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

SMS