



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10538 OF 2025

Kalyan Balu Bhavar

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. Shinde Balaji S., for Petitioner.
- Mr. R. K. Ingole, AGP for Respondent Nos.1 and 2.

CORAM : MANISH PITALE AND
Y. G. KHOBRADE, JJ.

DATE : 25th AUGUST 2025.

P. C. :

1. Heard learned counsel for the petitioner and the learned AGP for respondent – State.
2. The petitioner is seeking correction in the school record of the petitioner in respect of caste.
3. The learned counsel for the petitioner submits that for the time being he is only soliciting directions to the Education Officer for deciding the proposal forwarded to him by the School in the light of clause 26.4 of the Secondary School Code.
4. Having heard both the sides, it appears that the Education Officer has refused to consider the request of the petitioner only on the ground that petitioner having left the school and that Clause 26.4 of the Secondary School Code does not permit any correction thereafter.

5. Suffice for the purpose to make a reference to the decision of the Full Bench of this Court in the case of ***Janabai d/o Himmatrao Thakur Vs. The State of Maharashtra and another***¹, which comprehends the situation wherein such a proposal cannot be refused on the ground of pupil having left the school. Education Officer does not seem to be aware of the decision and apparently has not undertaken any scrutiny in the light of the decision in the case of ***Janabai d/o Himmatrao Thakur Vs. The State of Maharashtra and another (supra)***.

6. The writ petition is allowed. The impugned order / communication of the respondent No.2 – Education Officer dated 19th August 2025 (Exhibit “D”) is quashed and set aside. He shall now consider petitioner’s proposal afresh, on its own merits and in the light of the decision in the case of ***Janabai d/o Himmatrao Thakur Vs. The State of Maharashtra and another (supra)***. However, he shall not reject it for the reasons mentioned in the impugned communication. The decision shall be taken as expeditiously as possible and in any case within two (02) weeks from today.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

1 2019 (6) Mh.L.J. 769