



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11088 OF 2025

MAYUR BABAN PATHADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Solanke Krushna S.
Addl.G.P. for Respondents: Mr. A.R. Kale
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CORAM : MANISH PITALE &
Y. G. KHOBRAGADE, JJ.

DATE : 11.09.2025

PER COURT:

1. Heard learned counsel for the petitioner. The learned AGP appears for respondent Nos.1 and 2. In the light of the grievance raised by the petitioner in this petition and the direction that we intend to issue, the issuance of notice to respondent No.3 is dispensed with.
2. By the impugned order dated 22.08.2025, the respondent – Education Officer (Secondary) Zilla Parishad, Chhatrapati Sambhajinagar, has rejected a proposal forwarded by the respondent No.3 – Headmaster of the School for changing the name of the mother of the petitioner in the school record, only on the ground that such a proposal cannot be considered under Rule 26.4 of the Secondary School Code, 2015 (the Code), as the petitioner has left the school.

3. Upon a perusal of the aforesaid Rule and Appendix 6 of the Code, we find that the ground on which the impugned order is passed, is unsustainable. Such a proposal can be considered even if the applicant has left the school, but within the narrow scope available under Rule 26.4 read with Appendix 6 to the said Code.

4. In view of the above, the impugned order is set aside. The matter is remanded back to respondent No.2 for consideration on merits. The respondent No.2 – Education Officer shall decide the proposal on its own merits and the proposal shall not be rejected on the ground which we have disproved herein above,

5. The proposal be decided within six weeks from today. We have not expressed any opinion on the merits of the matter. Writ petition is disposed of. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)