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

56 WRIT PETITION NO. 2949 OF 2025

SHANABHAU RAMBHAU SONAWANE

VERSUS

1. THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY,
SPORTS AND EDUCATION DEPARTMENT, MANTRALAYA,
MUMBAI
2. THE EDUCATION OFFICER (PRIMARY), ZILLA PARISHAD,
DHULE
3. THE HEADMASTER, ZILLA PRIMARY SCHOOL, SAHUR, TQ.
SINDKHEDA, DIST. DHULE

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Mr S. B. Solanke, Advocate h/f Mr P. V. Jadhavar, Advocate for
petitioner

Mr M. M. Nerlikar, Addl.G.P. for respondent No.1

Mrs V. N. Patil Jadhav, Advocate for respondent Nos.2 and 3

CORAM : MANGESH S. PATIL

AND

PRAFULLA S. KHUBALKAR, JJ.

DATE : 4th March, 2025

PER COURT:

1. Heard.

2. Issue notice for final disposal to the respondents,
returnable forthwith. The learned A.G.P. waives service of notice on
behalf of respondent No.1. Learned advocate Mrs Patil waives service
of notice on behalf of respondent Nos.2 and 3.

3. By the impugned order, respondent No.2/Education
Officer (Primary) has refused to consider the proposal whereby the

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petitioner's school record has sought to be corrected with his permission under Clause 26.4 of the Secondary School Code, only on the ground of he having left the school.

4. Considering the parameters laid in the matter of **Janabai Himmatrao Thakur vs. The State of Maharashtra and others, 2019(6) Mh.L.J. 769 (FB)**, the Education Officer needs to take decision bearing in mind the scope of his powers under Section 26.4 of the Secondary School Code.

5. In a given set of facts, such powers can be exercised even after student has left the school.

6. In the light of above, we allow the petition partly, set aside the impugned communication, direct respondent No.2/Education Officer to reconsider the proposal of the petitioner on its own merits and in the light of Janabai Himmatrao Thakur (supra), as expeditiously as possible and in any case within a period of six weeks.

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)

sjk