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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

919 WRIT PETITION NO. 204 OF 2025

VIJAY LAXMAN PAIKADE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.R.G.Nirmal, Advocate for the petitioners.
Mr.M.K.Goyanka, AGP for the respondent/State.

(CORAM : MANGESH S. PATIL AND
PRAFULLA S. KHUBALKAR, JJ.)

DATE : JANUARY 8, 2025

PER COURT :

1. We have heard both the sides.
2. Though the prayers have not been appropriately articulated, the relief being claimed is innocuous in the light of the fact that the Education Officer, Secondary has rejected the proposal forwarded by the petitioner through respondent No.3 / Head master for correction of the school record in the light of clause 26.4 of the Secondary Schools Code, only on the ground of he having already left the school, which ground would no longer be *per se* sustainable in the

light of the Full Bench decision in the matter of **Janabai Himmatrao Thakur Vs. The State of Maharashtra and Others [(2019) 6 Mh.L.J.769]**.

3. The writ petition is allowed partly. The impugned order is quashed and set aside. Respondent No.2 /Education Officer shall take a fresh decision on the proposal on its own merits, but shall not refuse to grant the permission only on the ground about petitioner having left the school and shall take the fresh decision bearing in mind the decision in the matter of Janabai Thakur (supra).

4. The decision shall be taken by respondent No.2, as expeditiously as possible and in any case within 6 weeks.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)