



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 3903 OF 2022

Raju S/o Madhukar Ingle

..VS..

The Government of Maharashtra, Department of Education, Mantralaya, Mumbai-32
and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Preeti Rane, Advocate for petitioner.

Mr. H. D. Marathe, Assistant Government Pleader for respondent Nos.1
and 2.

Ms. H. N. Jaipurkar, Advocate for respondent No.3.

Mr. M. S. Sharma, Advocate for respondent No.4.

CORAM : ALOK ARADHE, C.J. AND
A. S. CHANDURKAR, J.

DATE : 14th FEBRUARY, 2025

PC.:

1. **Rule.** Rule made returnable forthwith. Heard learned Counsel for the parties.

2. The challenge raised in this petition is to the refusal by the respondent No.3 to consider the application filed by the petitioner for correction of the entry of Caste in his School Leaving Certificate only on the ground that the petitioner is no longer a student of the respondent No.4 School.

3. A Full Bench of this Court in *Janabai d/o Himmatrao Thakur Vs. State of Maharashtra and others*, reported in *2019(6) Mh.L.J. 769*, has held in para 39 as under :

“39. This being the position, We answer Question Nos.(A) & (C) in the following terms :

- (a) *An application for alteration in the entries in the General Register is permissible, with the previous permission of the appropriate authority at any time when the pupil is attending the school.*
- (b) *No application for alteration in the figure of date of birth is permissible, after the student has left secondary school, except correction in the nature of 'obvious mistakes' as indicated in Clause 26.3 i.e. of a nature where the date of a particular month which does not exist in the calendar and likewise.*
- (c) *Thus, in light of the above, an application for change in the name, surname or caste, either due to reasons / cause unnoticed before or even occurring subsequently, being errors which fall within the category of 'obvious mistakes', can be made, even after the student has left school in light of the language of Clause 26.3 in the manner as indicated by Appendix Six in the forms as prescribed in the S.S. Code.*
- (d) *For the purposes like admission to another educational institution, in cases of obvious mistakes as prescribed in Clause 26.4, a change/ correction in the school leaving certificate, so as to make the entry consistent with the corresponding entries in the General Register of the School is permissible, which in fact is in consonance with (c) above."*

4. In para 39 Clause (c) thereof, it is permissible for the school to make correction in the name, surname or caste in case

of an error which falls within the category of “obvious mistake” even after the student has left the school. Perusal of the impugned communication indicates that the only ground for refusal of the petitioner’s request is that the petitioner is a no longer student of the concerned school. It is obvious that the rejection is without considering as to whether the error as crept in is on account of ‘obvious mistake’. We are therefore, of a view that the petitioner’s request for correction of entry of Caste deserves to be re-considered.

5. Accordingly, the impugned communication dated 01.10.2021, issued by respondent No.3 is set aside. The respondent No.3 shall re-consider the petitioner’s request for correction of his Caste in the General Register. Needless to state that if such request is made by the petitioner in prescribed format, the respondent No.3 shall consider the same in accordance with the decision in *Janabai d/o Himmatrao Thakur* (supra).

6. The respondent No.3 shall re-consider the request within a period of eight weeks of receiving the complete application form from the petitioner.

7. With the aforesaid directions, the Writ Petition is disposed of.

(A. S. CHANDURKAR, J.)

(CHIEF JUSTICE)