



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

WRIT PETITION NO. 3653/2025

Ritik S/o. Ashok Baghel

Vs.

The Maharashtra State Board of Secondary and Higher Secondary Education, Nagpur
and Ors.

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

Court's or Judge's orders

Mr. N. B. Kalwaghe, Advocate for Petitioner.
Mr. Anand Parchure, Advocate for Respondent No.1.
Ms M. H. Deshmukh, A.G.P. for Respondent No.2/State.
Mr. S. B. Bangde, Advocate for Respondent No.3.

CORAM : ANIL S. KILOR AND MRS. VRUSHALI V. JOSHI,JJ.
DATED : 06/08/2025.

1. The prayer in the present matter is for correction of date of birth as well as spelling of surname in the School's record as well as the Secondary and Higher Secondary Education Board's record.

2. The Education Officer has already recommended the School and the Board to carry out such correction. However, the Board refused to carry out such correction and stated that unless the School carries out such correction in its record, the Board cannot carry it out. Whereas, the School has taken a stand that there is a prohibition under the Secondary School Code to carry out such correction, if the student is not studying in the school and has left the School.

3. The learned Counsel for the petitioner in response to the stand taken by the Board and the School has pointed out the judgment of this Court in the case of *Shaikh Shafi Ahmed Khadarsab Vs. State of Maharashtra and Ors.* reported in **2012 (5) Mh.L.J. 36**, wherein the

Court has observed thus :

“11. For all these reasons, we hold that the instructions contained in para 26.4 of the S. S. Code that an application for change of an entry in the General Register of a school shall be entertained only on behalf of the pupil who is attending the school meaning thereby that it shall not be entertained on behalf of the pupil who has left the school, are directory and not mandatory. In our view, such an application cannot be entertained even after the pupil is able to satisfy that the original entry in the General Register of the school is erroneous. The application can be rejected if the entry is not shown to be erroneous and wrong. It, however, cannot be rejected without it being considered on merits, only on the technical ground that the application has been made after the pupil has left the school.”

4. In view of the above referred observations of this Court, it is evident that the provisions of Secondary School Code are not mandatory but directory and school can correct the record even after the student is not studying in the school and has left the school.

5. In that view of the matter, the stand taken by the School does not survive. Accordingly, we pass the following order :

- i] The petition is allowed.
- ii] The respondent No.3 - School is directed to consider the prayer of the petitioner in view of the findings recorded hereinabove. If the School carries out the correction, it is further directed to the Board to make a necessary correction in its record.

- iii] The School shall take steps as regards the compliance of this order within four weeks from today.

The learned Counsel for the respondent No.3 – School undertakes to communicate this order to the School.

- iv] If the School accepts the prayer of the petitioner for correction, after making necessary correction, the same shall be intimated to the Board within two weeks thereafter. On receiving the intimation by the Board from the School about the correction, the Board shall carry out the necessary correction within two weeks from the date of the receipt of the said communication from the School.

6. The petitions stands disposed of accordingly.

(MRS.VRUSHALI V. JOSHI, J.)

(ANIL S. KILOR, J.)