IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14998 OF 2026

ABHISHEK DADAJI THAKUR
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Pathade Vishweshwar Haribhau
AGP for Respondents: Mr. S.K. Tambe
...

CORAM : NITIN B. SURYAWANSHI AND
ABASAHEB D. SHINDE, JJ.

DATE : 29.10.2026

PER COURT:

1. This petition challenges the order dated 31.05.2023 passed by respondent No.2/Education Officer, thereby rejecting the request of the petitioner to carry out correction in his birth date on the ground that the petitioner has left respondent No.3/School.

2. This Court has consistently taken a view that merely because the student is no more taking education in the school cannot be a ground to deny a request like one made by the petitioner.

3. The case of the petitioner is squarely covered by the Full Bench decision in **Janabai Himmatrao Thakur Vs The State of**

Maharashtra and Others, **AIR OnLine 2019 Bombay 1055**. The relevant direction reads thus:

> "(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."

4. It is necessary to mention here that Co-ordinate Bench of this Court in order dated 26.11.2025 passed in Writ Petition No. 14175 of 2025 has made following pertinent observations:

> "5. Time and again it has come to our notice that in spite of there being a judgment of the Full Bench of this Court in Janabai Thakur (supra) and also several orders thereafter passed by this Court, the officers are repeatedly passing the orders contrary to the said judgment which leads to several litigations being filed in the High Court. We, therefore, feel it appropriate to direct the Principal Secretary of School Education and Sports Department, Mantralaya, Mumbai, to issue appropriate orders there by circulating the above mentioned judgment to all its officers in the department with a clear direction to follow the order in its true letter and spirit. Henceforth, any disobedience of the order is observed or brought to our notice will attract the provisions of Contempt of Courts Act and the Erring Officers will be held in contempt under the said Act."

5. In the light of above observations, in fact contempt action needs to be initiated against respondent No. 2. However, by way of indulgence we give one more chance to respondent No. 2 to mend his ways and correct his mistake.

6. In the result, writ petition is allowed.

7. Impugned communication/order dated 31.05.2023 issued by respondent No. 2 is quashed and set aside.

8. The matter is remanded back to respondent No. 2, who shall direct to carry out correction sought by the petitioner by keeping in mind decision in the case of **Janabai Thakur** (supra) and directions given by this Court in Writ Petition No. 14175 of 2025, within a period of eight (08) weeks from the date of receipt of copy of this order.

(ABASAHEB D. SHINDE, J.) **(NITIN B. SURYAWANSHI, J.)**

habeeb/