



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

WRIT PETITION NO. 3504 OF 2025

Rushikesh Ramkisan Palimkar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

Mr. S. K. Tambe, Addl. GP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 07th January, 2026

PER COURT :-

1. Learned Advocate for the petitioner is absent.
2. Present petition has been filed for correction of the name of the mother of petitioner in school record. The petitioner submits that his mother's name is "Tejabai" however, in the school record it has been wrongly mentioned as "Tejaswini". The petitioner has filed school record of his mother as well as his birth certificate dated 20.09.1997 which shows his mother name as Tejabai. Respondent No. 3 by impugned order dated 04.11.2024 rejected the application on the ground that the petitioner is not taking education in the school. The petitioner is relying on the Full Bench decision of this Court in **Janabai Himmatrao Thakur vs. State of Maharashtra and others, [AIR OnLine 2019 Bombay 1055]**.

3. We are coming across many such orders, in spite of the decision of this Court in ***Janabai Thakur*** (supra), stating that the applicant/petitioner is not taking education in the school and, therefore, the authority has no jurisdiction or power to make changes in the school record. While allowing the present petition, we direct respondent No.1 to apprise the concerned authorities about the Full Bench decision of this Court in ***Janabai Thakur*** (supra) and not to reject the applications on the ground that the person is not taking education in the school. The interpretation in respect of Rule 26.4 of Secondary School Code has been interpreted by this Court and that interpretation is binding on all the authorities. Even after apprising the authorities by respondent No. 1, if we come across such orders, then this Court will consider such orders as contempt.

4. With these observations, the writ petition stands allowed.

5. Respondent No. 3 is directed to issue order and grant the proposal No. 28 dated 16.10.2024 in respect of change in the name of the mother of petitioner in the school record within a period of 15 days from today.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi