



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

WRIT PETITION NO. 1553 OF 2026

Prabhakar Dattatray Dhokane
VERSUS
The State Of Maharashtra And Others

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

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

DATE : 11th February, 2026

PER COURT :-

1. Present petition has been filed for correction of Birth date of the petitioner in the school record. The petitioner submits that his correct Birth Date is "05.10.1991" however, in the school record it has been wrongly mentioned as "11.03.1989/1990". The petitioner has filed corrected Birth Certificate (Exhibit E) wherein his Birth Date is mentioned as "05.10.1991". Respondent No. 4 by impugned order dated 23.01.2019 rejected the application on the ground that the petitioner is not taking education in the school. Thereafter, appeal has been filed before respondent No. 3 and the same has been rejected by order dated 30.07.2019. 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].

2. 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.

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

4. Order dated 24.02.2025 passed by the office of respondent No. 2 is hereby quashed and set aside.

5. Respondent No. 4 is directed grant application submitted by the petitioner dated 01.01.2019 and to issue order in respect of change in the Birth Date 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