



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

WRIT PETITION NO. 3368 OF 2026

Shaikh Rizwan Shaikh Munir Shaikh
Age: 32 years, Occu: Nil,
R/o. Manvat, Parbhani

VERSUS

1. The State of Maharashtra
Through Secretary
Education and Sports Department,
Mantralaya, Mumbai.
2. The Education Officer (Secondary)
Zilla Parishad, Parbhani.
3. Headmaster
Khan Abdul Gaffar Khan Urdu High School,
Manvat Dist. Parbhani

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Mr. R. J. Nirmal, Advocate for the Petitioner
Mr. S. B. Pulkundwar, AGP for Respondent-State

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**CORAM : SMT. VIBHA KANKANWADI &
NEERAJ P. DHOTE, JJ.**

DATED : 15TH APRIL, 2026

ORDER :-

. Present petition has been filed for correction of the caste of the petitioner in the school record. The petitioner submits that his caste is "Muslim", however, in the school record it has been wrongly mentioned as "Muslim Fakir". The petitioner has filed his leaving

certificate issued by the competent authority, wherein it is stated that the petitioner is the son of Shaikh Munir Shaikh and Firdos Begum. Respondent No.2 by impugned communication dated 04.03.2026 rejected the application on the ground that the petitioner has left 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].

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. Respondent No.2 is directed to issue order and grant the proposal forwarded by respondent No.3 in respect of change in the caste of the petitioner in the school record within a period of 15 days from today.

[NEERAJ P. DHOTE, J]

[SMT. VIBHA KANKANWADI, J.]

Rushikesh/2026