



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

WRIT PETITION NO. 3498 OF 2026

Pawar Datta Raju

VERSUS

State Of Maharashtra Through Secretary School Education And Sports
Department And Another

Mr. A. N. Sabnis, Advocate for petitioner

Mr. R. S. Wani, AGP for respondent-State

Mr. P. D. Suryawanshi, Advocate for respondent No. 2

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

DATE : 06th April, 2026

PER COURT :-

1. Present petition has been filed for correction of date of birth of the petitioner in school record. The petitioner submits that his correct date of birth is "07.11.2000" however, in the school record it has been wrongly mentioned as "07.11.2001". The petitioner has filed copy of his Birth Certificate wherein his date of birth is mentioned as "07.11.2000". Respondent No. 2 by impugned order dated 03.02.2026 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].

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 Headmaster, Zilla Parishad, Laxmiaai Tanda, Tq. & Dist. Beed dated 13.01.2026 in respect of change in the date of birth of petitioner in school record within a period of 15 days from today.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi