



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

WRIT PETITION NO. 4545 OF 2026

Aarya Jagadish Phalak,
Age 16 Years, Occ.Education,
Minor – through her father -
Jagdish Pandharinath Phalak,
Age: 56 years, Occ.: Service,
R/o. N-9, L-33-2, Shivaji Nagar,
CIDCO, Cidco Colony, Aurangabad,
Tq. & Dist. Aurangabad.

..Petitioner

VERSUS

- 1) The State of Maharashtra,
Through its Secretary of Education Department,
Mantralaya, Mumbai-32
- 2) The Education Officer (Secondary),
Zilla Parishad, Chhatrapati Sambhajnagar.
Chelipura High School, Railway Station Road,
Chhatrapati Sambhajnagar.
- 3) Saint Lawrence High School,
Chhatrapati Sambhajnagar
R/o Plot No. R-7/1, Town Centre,
CIDCO, Chhatrapati Sambhajnagar.
Through its Head Master

..Respondents

Mr.P.V.Balkhande, Advocate for petitioner
Mr.S.B.Narwade, AGP for respondent nos.1 and 2

**CORAM : SMT.VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.
DATE : APRIL 27, 2026**

ORDER :-

Present petition has been filed for correction of the name of
the father of the petitioner in the school record. The petitioner submits

that the name of her father is “Jagadish”, however, in Nirgam extract/general school register, it has been wrongly mentioned as “Jagadeesh”. The petitioner has filed a copy of the Government Gazette, issued by the Government of Maharashtra (Exhibit “D” – page 39 of the Writ Petition Memo), wherein the name of the petitioner is shown as “Aarya Jagadish Phalak”. Respondent No.2 by impugned communication dated 23.07.2025, rejected the application/representation 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.

3. In the circumstances, 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 application on the ground that the person is not taking education in

the school. The interpretation in respect of Rule 26.4 of the 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. Respondent No.2 is directed to issue order and grant the proposal forwarded by respondent No.3 in respect of change in the name of the father of the petitioner in the school record, within a period of fifteen days from today.

[AJIT B. KADETHANKAR, J.]

[SMT.VIBHA KANKANWADI, J.]

KBP

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