

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR**

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11736 OF 2025

Aryan Vasudev Hajare (Minor)

Through Natural Guardian (Father) Vasudev Hajare ...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Vaibhav R. Gargade, for the Petitioners.

Ms. T. J. Kapre, AGP, for the Respondent – State.

**Coram: Madhav J. Jamdar &
Pravin S. Patil, JJ.**

Date: March 24, 2026

P.C.:

1. The Petitioner herein has approached this Court challenging the Order/Letter dated 11th June 2025 issued by the Education Officer (Secondary), Zilla Parishad, Solapur, whereby his proposal for correction of his date of birth has been rejected on the ground that, as per Rule 26 of the Secondary Schools Code, there is no provision to change the date of birth after a student has left the school.

2. The Petitioner studied in Respondent No.4's school upto the 10th Standard and passed his SSC Examination in March 2024. According to the Petitioner, his actual date of birth is 23rd July 2008, but in the school leaving certificate, it has been wrongly recorded as 22nd July 2008. In view of this difference of one day in the date of

birth, an appropriate application was made before the school authorities for correction in the date of birth. The school authorities have forwarded the proposal to the Education Officer (Secondary), Zilla Parishad, Solapur, stating that there was a mistake on their part in recording the correct date of birth.

3. The Education Officer (Secondary), Zilla Parishad, Solapur, by the impugned Order/Letter dated 11th June 2025, has rejected the proposal mainly on the ground that, under Rule 26 of the Secondary Schools Code, he is not empowered to correct the date of birth, once the student left the school.

4. It would be relevant to refer the Judgment of the Full Bench of this Court in the case of ***Janabai v. State of Maharashtra***¹, wherein this Court has held that if there is an obvious mistake in recording the date of birth, it is permissible for the authorities to correct the same. In the said case, it has also been held that merely because the student has left the school cannot be a reason to reject the proposal.

5. The facts of the present case are squarely covered by the Judgment of the Full Bench of this Court in ***Janabai*** (supra). Therefore, considering the law laid down by this Court, the impugned Order dated 11th June 2025 passed by the Education Officer (Secondary), Zilla Parishad, Solapur, does not survive and deserves to be quashed and set

1 2019 SCC OnLine Bom 3158

aside.

6. Considering the peculiar facts and circumstances of the matter, and more importantly, the fact that the Petitioner is seeking correction of his date of birth to 23rd July 2008 instead of 22nd July 2008, we are satisfied that there is an obvious mistake on the part of the school authorities in recording his date of birth.

7. Hence, the Writ Petition stands allowed.

8. The Order/Communication of Education Officer (Secondary), Zilla Parishad, Solapur dated 11th June 2025 is hereby quashed and set aside.

9. The Education Officer (Secondary), Zilla Parishad, Solapur is directed to reconsider the proposal of correction of date of birth of Petitioner dated 9th June 2025 and thereby correct the date of birth of Petitioner as 23rd July 2008.

10. No order as to cost.

[Pravin S. Patil, J.]

[Madhav J. Jamdar, J.]