

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

WRIT PETITION NO.166 OF 2026

Samiksha d/o. Sanjay Chavan,
Age : 18 years, Occ. Education,
r/o. Alanga, Tq. Aland,
Dist. Kalaburgi (Karnataka State)

..Petitioner

Vs.

1. The State of Maharashtra
2. The Divisional Secretary,
Maharashtra State Board of Secondary
And Higher Secondary Education,
Kolhapur
3. The Education Officer (Secondary)
Zilla Parishad, Kolhapur
4. The Head Master,
Sanjivan Vidyaniketan,
Somwar Peth, Panhala,
Dist. Kolhapur

..Respondents

Mr.Dayanand Mali a/w. Mr.Gajraj A. Mali, Advocate for petitioner

Mr.A.P.Vanarase, AGP for respondent nos.1 and 3

Ms.Vedantika Naik a/w. Ms.Mrunal Tavade, Advocate for respondent
no.2

Mr.Kirankumar Phakade i/b. Mr.Sagar Mane, Advocate for respondent
no.4

**CORAM : R. G. AVACHAT &
AJIT B. KADETHANKAR, JJ.**

DATE : JANUARY 22, 2026.

ORDER :-

Heard learned counsel for the parties.

2. Rule. Rule is made returnable forthwith. Considering the nature of the prayer made in this petition, we have heard the matter finally.

3. The petitioner is born on 03.11.2007. Her Birth Certificate is at page No.25 (Exh."B"). A corresponding entry recording the date of birth of the petitioner in the School General Register of Swami Vivekanand Primary School, Umerga, Dist. Osmanabad, is also on record at page 26. The School Leaving Certificate issued by Bharat Vidyalaya, Umerga, also records her date of birth as 03.11.2007. The petitioner appeared for the Secondary School Certificate (SSC) examination and an hall ticket was issued by respondent no.2 - Board, wherein the date of birth was recorded as 03.11.2007. The petitioner passed the S.S.C. examination and a Certificate of passing (*Sanad*) was issued by respondent no.2. The petitioner was shocked to see that her date of birth in the said certificate was recorded as 03.10.2007. Feeling aggrieved thereby, the petitioner has preferred the present petition.

4. Mr.Mali, learned counsel for the petitioner, would submit that in every document the date of birth of the petitioner was shown as 03.11.2007. Even the respondent no.2 – Board also recorded the same date on the hall ticket issued to the petitioner. In such circumstances, the respondent no.2 – Board committed an error by recording the wrong date of birth as 03.10.2007. Learned counsel for the petitioner would submit that there was no occasion either for the petitioner or any party to seek correction in the date of birth of the petitioner from 03.11.2007 to 03.10.2007. Learned counsel for the petitioner, therefore, seeks direction to respondent no.2 to correct the date of birth of the petitioner on the certificate of passing of S.S.C. examination.

5. Learned counsel for respondent no.2 – Board has tendered an affidavit sworn by Shri. Basveshwar Mahadev Killedar, Divisional Secretary of the respondent no.2- Board. The same is taken on record. The concerned authority has referred Clauses 26.3 and 26.4 of the Secondary Schools Code, which read thus:-

Clause 26.3	Clause 26.4
1. General Principle - No alteration in the date of birth or other entries in the General Register, including correction of spelling shall be allowed without the previous permission of the appropriate authority.	Application for the change or correction of date of birth, name, surname, caste etc. as entered in the General Register shall be entertained from on or behalf of a pupil who is attending a school

2. Limitation - No such alteration in the figure of Date of Birth shall, however, be allowed even with such permission after the student has left the Secondary School.	Such application shall not be entertained from on or behalf of a pupil, who has left the school, as the same amounts not only to change in the entries in the General Register but also to a change in the School leaving Certificate
3. Exception – This shall not however preclude corrections of obvious mistakes, that is the date of a particular month which does not exist in the calendar.	However, for the purposes like an admission to another educational institution the School Leaving Certificate is relied upon as an evidence for name, surname, caste, date of birth etc., and hence, in bonafide cases where wrong spelling of a word or an obvious mistake of the type mentioned in sub-rule 3 above is noticed any time after the issue of the School Leaving Certificate and the same is required to be corrected so as to be consistent with the corresponding entries in the General Register of the school or those in the School Leaving Certificate issued by the previous school such application shall be entertained.
4. Procedure – Before giving sanction to correct spelling or the obvious mistake in figures, the same shall be verified with the original evidence, if any, produced at the time of making the relevant entry. When such an alteration is made on the strength of the written order of the said authority an entry to that effect shall be made in the remarks column of the General Register by writing the number and date of the order of the said authority. The written order shall be preserved as permanent record.	The procedure to be followed in such cases as is laid down in Appendix Six.

6. All we find in the present case is the error committed by respondent no.2 – Board while issuing the Certificate of passing

S.S.C. examination in the name of the petitioner. It seems to be merely a typographical error. It is for the reason that there is no material on record as to why such date of birth has been changed from 03.11.2007 to 03.10.2007 once such date of birth has appeared on the hall ticket.

7. In the circumstances, we pass the following order:-

(i) The Writ Petition is allowed.

(ii) Respondent no.2 - Board is directed to correct the date of birth of the petitioner from '03.10.2007' to '03.11.2007' on the Certificate of passing the S.S.C. examination and shall issue the corrected Certificate on or before 10.02.2026 as the petitioner is a student and appearing for H.S.C. examination.

(iii) Rule is made absolute. The petition stands disposed of.

[AJIT B. KADETHANKAR, J.]

[R.G. AVACHAT, J.]

KBP