
(2014) 02 BOM CK 0122

In the Bombay High Court

Case No : Writ Petition No. 1163 of 2011

Bharat Ramkishan Wadkar (Padile)

APPELLANT

Vs

State of Maharashtra, The Maharashtra State Secondary and
Higher Secondary Education Board and The Chief Officer,
Recruitment Zone Pune Division

RESPONDENT

Date of Decision : 11-02-2014

Acts Referred:

Citation : (2014) 02 BOM CK 0122

Hon'ble Judges : S.C. Dharmadhikari, J;R.V. Ghuge, J

Bench : Division Bench

Advocate : V.D. Gunale, Advocate for the Appellant; K.G. Patil, Additional GP for the Respondent Nos. 1 and 2 and Mr. V.R. Sonwalkar, Advocate for respondent No. 3, Advocate for the Respondent

Judgement

S.C. Dharmadhikari, J.—Heard. Rule. Rule made returnable forthwith. By consent of parties, taken up for final hearing. Since no adverse orders are being passed against respondent No. 4, writ petition is heard & decided in his absence.

2. The petitioner had, in our opinion, made a very innocuous request. He completed his SSC from Chatrapati Shahu Madhyamik Vidyalaya, Satala (Bk), Taluka Udgir, District Latur, in the year academic year 2006-07. While taking admission in the secondary school, it is the case of the petitioner that inadvertently his surname was mentioned as Padile instead of Wadkar.

3. He made an application in the year 2009 praying that correction be made in the surname in the general register of secondary school. The Head Master duly considered this request and by a proposal, he recommended change of surname/correction.

4. The Deputy Director of Education approved correction by order dated 27.1.2009. In the meanwhile, what has transpired is, that petitioner had to appear for the higher secondary examination. The school, therefore, submitted a

proposal to the respondent No. 3 Board and for making the requisite correction. The power of the Board is conferred by some regulation and to which we need not make a detailed reference because of subsequent events.

5. Petitioner, in the meanwhile, cleared not only his SSC but HSC examination. He is yet awaiting correction in the surname and in the relevant records maintained by the Board including memo of marks and passing certificate.

6. Since the request was not considered in the light of the policy of the Board that the court issued notice on this application.

7. Now, the Divisional Secretary of the Latur Divisional Board, Latur Division of the Maharashtra State Board of Secondary and Higher Secondary education, Pune, has clarified that the restriction imposed on the authorities so as to effect such correction and of 3 years, is removed. Even after 3 years, such correction can be effected and in the board records.

8. Once this clarification is on record in the form of a communication dated 10th February, 2014, copy of which is taken on record, it is agreed before us, that the Board will have no objection to the correction of name in the records of the school and the board as well.

9. In view of the above, let the corrections be made and the petitioners name be shown as Bharat Ramkishan "Wadkar" instead of "Padile", in the school records and in the certificate of marks, passing of 10th and 12th standard examination. Let the correction be made within a period of two months from the date of receipt of a copy of this order. The petitioner will not be required to make a fresh application. Let the application made by the petitioner and which was not granted, shall be treated as a fresh application. Based on this, the correction shall be effected.

10. Rule made absolute in above terms. No costs.