

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

**Writ Petition No. 11187 of 2010**

Kiran s/o. Raosaheb Hinge,  
Age : 22 years,  
Occupation : Nil,  
R/o. Walunj,  
Taluka & District : Ahmednagar.

.. Petitioner.

**versus**

1. The State of Maharashtra,  
Through Secretary,  
School Education Department,  
Mantralaya, Mumbai-32.
2. The Secretary,  
Maharashtra State Board of Secondary  
And Higher Secondary Education, Pune,  
Sr.No. 832-A, Final Plot No. 178, 179,  
Near Balchitrawani, Bhamburda,  
Shivajinagar, Pune-411 004.
3. Divisional Secretary,  
Pune Divisional Board of Secondary &  
Higher Secondary Education,  
Pune-5.
4. The Headmaster,  
Dnyandeep Vidyalaya,  
Walunj,  
Taluka & District : Ahmednagar.

5. The Union of India.

6. The Village Panchayat, Pimpala,  
At Pimpala, Taluka : Ashti,  
District : Beed,  
Through its Gram Sevak.

.. Respondents.

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*Mr. N.V. Gaware, Advocate, for the petitioner.*

*Mr. V.B. Ghatge, Assistant Government Pleader, for  
respondent no.1.*

*Mr. D.V. Soman, Advocate, for respondent nos.2 and 3.*

*Mr. Y.V. Kakade, Advocate, for respondent no.4.*

*Mr. Alok Sharma, Assistant Solicitor General, for  
respondent no.5.*

*Mr. U.S. Patil, Advocate, for respondent no.6.*

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**CORAM : B.P. DHARMADHIKARI  
&  
SUNIL P. DESHMUKH, JJ.**

**DATE : 31ST JULY 2012**

**ORAL JUDGMENT (Per B.P. Dharmadhikari, J.) :**

1. Heard respective Counsel.

2. Rule. Rule made returnable forthwith. Heard by consent.

3. It is not in dispute that request made by the petitioner to correct his date of birth in S.S.C. certificate has been turned down by the respondent nos.2 and 3 because it has been made after three years.

4. Adv. Mr. Gaware, for the petitioner, has invited attention to Circular dated 2nd March 2012 issued by respondent no.2 which permits such application to be entertained without any time limit but subject to levy of amount of Rs. 100/- per year in slabs as stipulated therein.

5. Adv. Mr. Soman, for respondent nos.2 and 3, states that he would like to obtain instructions from his clients about this circular.

6. We accept circular produced by Adv. Mr. Gaware, for the petitioner, and same is marked as Exhibit "X" for identification. Statement made by Adv. Mr. Gaware is also accepted.

7. In view of the statement and circular, we set aside the impugned communication dated 16th October 2010 (Exhibit "I"), sent by respondent no.4 / School. We direct respondent nos.2 and 3 to entertain the request of the petitioner in terms of Circular dated 2nd March 2012, and take appropriate decision upon it, within a period of six weeks, after the petitioner appears before respondent no.3. Petitioner shall appear before respondent no.3 on 10th September 2012, and abide by his further instructions in the matter.

(4)

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8. Petition is, thus, partly allowed and rule is made absolute in the above terms. No costs.

(SUNIL P. DESHMUKH)  
JUDGE

(B.P. DHARMADHIKARI)  
JUDGE

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