IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

201 WRIT PETITION NO. 9430 OF 2022

1. Jyoti Uttamrao Shinde,
Age : 32 years, Occu.: Assistant Teacher,
R/o: Jain Gali, Ambejogai, Beed,
Tq. & Dist. Beed.

2. Parmeshwar s/o Baburao Rathod,
Age : 34 years, Occu.: Assistant Teacher,
R/o: L.I.C. Colony, Ambejogai, Beed,
Tq. & Dist. Beed.

3. Savita Sundarrao Pawar,
Age : 33 years, Occu.: Assistant Teacher,
R/o: Jadid Javal Post Haraki Limgaon,
Majalgaon, Tq. & Dist. Beed.

4. Pranita Prakashrao Kulkarni,
Age : 39 years, Occu.: Assistant Teacher,
R/o: Power House Chya Pathimage,
Sanmitra Colony, Majalgaon,
Tq. & Dist. Beed.

5. Pooja Bhaskar Maske,
Age : 29 years, Occu.: Assistant Teacher,
R/o: Vishal Niwas, Anna Bhau Sathe
Nagar, Mandwa Road, Ambejogai,
Tq. & Dist. Beed.

6. Kedar s/o Dayasagar Joshi,
Age : 35 years, Occu.: Assistant Teacher,
R/o: Behind Govt. Rest House,
Annapurna Niwas Road, Beed,
Tq. & Dist. Beed.

7. Dhanajay s/o Devidas Ingole,
Age : 31 years, Occu.: Assistant Teacher,
R/o: Samnapur, Beed, Tq. & Dist. Beed.

8. Supriya Popat Kamble,
Age : 32 years, Occu.: Assistant Teacher,
R/o: Navgan College Road,

Madhur Niwas, Beed,
Tq. & Dist. Beed.

9. Saraswati Narayan Giri,
Age : 33 years, Occu.: Assistant Teacher,
R/o: Mauli Niwas, Near Ambedkar School,
Pangari Road, Beed, Tq. & Dist. Beed.

10. Prashant s/o Dattatraya Kulkarni,
Age : 33 years, Occu.: Assistant Teacher,
R/o: R. H. No.1, Mathoshri Niwas,
Renuka Resident Beed,
Tq. & Dist. Beed.

11. Meena Bhimrao Tike,
Age : 39 years, Occu.: Assistant Teacher,
R/o: Mu. Po. Shidod, Beed,
Tq. & Dist. Beed.

12. Urmila Avadhutrao Wade,
Age : 43 years, Occu.: Assistant Teacher,
R/o: Mali Galli, Georai Road, Beed,
Tq. & Dist. Beed.

13. Muktabai Narhari Soge,
Age : 30 years, Occu.: Assistant Teacher,
R/o: Upli, Beed, Tq. & Dist. Beed.

14. Shamika Bansidhar Ranjwan,
Age : 43 years, Occu.: Assistant Teacher,
R/o: Zanda Chowk, Patil Galli, Beed,
Tq. & Dist. Beed.

15. Santosh s/o Kishan Aade,
Age : 31 years, Occu.: Assistant Teacher,
R/o: Mu. Nandgaon, Beed,
Tq. & Dist. Beed. ...**Petitioners**

Versus

1. The State of Maharashtra
Through it's Secretary,
Education and Sport Department,
Mantralaya, Mumbai – 32.

2. The Commissioner of Education,
Maharashtra State, Pune,
Central Building, First Floor,
Dr. Annie Besant Road, Agarkar
Nagar, Pune, Tq. & Dist. Pune
Maharashtra – 411 001.

3. The Chairman,
The Maharashtra State Council
of Examination, Pune, 17,
Dr. Babasaheb Ambedkar Road,
Camp, Pune, Tq. & Dist. Pune
Maharashtra – 411 001.

4. The Commissioner,
The Maharashtra State Council
of Education, Pune, 17,
Dr. Babasaheb Ambedkar Road,
Camp, Pune, Tq. & Dist. Pune
Maharashtra – 411 001.

5. The Director of Education,
Directorate of Primary Education,
Maharashtra State, Dr. Anie Bezant Road,
Central Building Pune – 411 001.

6. The Deputy Director of Education,
Aurangabad, Region Aurangabad,
Misa Compound, Bhadkal Gate Cir,.
Naralibag, Aurangabad,
Tq. & Dist. Aurangabad.

7. The Education Officer (Secondary)
Zilla Parishad, Near Shivaji Chowk,
Beed, Tq. & Dist. Beed.

8. The Education Officer (Primary)
Zilla Parishad, Near Shivaji Chowk,
Beed, Tq. & Dist. Beed.

9. The Superintendent,
Pay and P. F. Unit, (Secondary),
Opposite SP Office, Beed,
Tq. & Dist. Beed.

10. The Superintendent,
Pay and P. F. Unit, (Primary),
Opposite SP Office, Beed,
Tq. & Dist. Beed. ...**Respondents**

AND

202 WRIT PETITION NO. 9461 OF 2022

Syed Aaqib Ali Amanat Ali And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

203 WRIT PETITION NO. 9466 OF 2022

Shabana Abdul Salim Choudhary

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

204 WRIT PETITION NO. 9467 OF 2022

Anwari Begum Mukhtar Ahmad Syed

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

205 WRIT PETITION NO. 9468 OF 2022

Vikas Shivaji Satpute

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

206 WRIT PETITION NO. 9469 OF 2022

Purushottam Bharatsing Patil

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

207 WRIT PETITION NO. 9470 OF 2022

Shital Balkrushna Kadus And Another

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

CIVIL APPLICATION NO. 16170 OF 2022

IN WP/9470/2022

Shital Balkrushna Kadus And Another

VERSUS

The State Of Maharashtra Through Secretary And Other

WITH

CIVIL APPLICATION NO. 16169 OF 2022

IN WP/9470/2022

Shital Balkrushna Kadus And Another

VERSUS

The State Of Maharashtra Through Secretary And Other

AND

208 WRIT PETITION NO. 9472 OF 2022

Rohit Rajkumar Kulkarni And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

209 WRIT PETITION NO. 9473 OF 2022

Ravindra Mangalu Bharude

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

210 WRIT PETITION NO. 9476 OF 2022

Akshay Sahebrao Lokhande

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

211 WRIT PETITION NO. 9481 OF 2022

Pushpa Pandurang Murmure

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

212 WRIT PETITION NO. 9482 OF 2022

Seema Pandurang Lohate

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

213 WRIT PETITION NO. 9485 OF 2022

Rajendra Babulal Pawar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

214 WRIT PETITION NO. 9489 OF 2022

Gaurav Pravin Badgujar And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

215 WRIT PETITION NO. 9492 OF 2022

Tushar Shantaram Borse

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

216 WRIT PETITION NO. 9493 OF 2022

Varsharani Sambhaji Nirde

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

217 WRIT PETITION NO. 9495 OF 2022

Seema Rangrao Rudre

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

218 WRIT PETITION NO. 9498 OF 2022

Bhushan Sukadeo Patil

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

219 WRIT PETITION NO. 9499 OF 2022
Abdul Salam Mukhtar And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

220 WRIT PETITION NO. 9500 OF 2022
Mohammed Shoaib Mohammed Jameel And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

221 WRIT PETITION NO. 9501 OF 2022
Dinesh Suresh Mahajan And Others
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

222 WRIT PETITION NO. 9503 OF 2022
Bhushan Vhansing Pawar
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

223 WRIT PETITION NO. 9504 OF 2022
Vinod Sahebrao Chaudhari
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

224 WRIT PETITION NO. 9507 OF 2022
Omar Farooq Abdul Rashid
VERSUS
The State Of Maharashtra Through The Secretary School Education And Others

AND

225 WRIT PETITION NO. 9508 OF 2022
Shaikh Zeeshan Hamed
VERSUS

The State Of Maharashtra Through The Principal Secretary And Others

AND

226 WRIT PETITION NO. 9511 OF 2022

Pooja Pramod Bhole

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

227 WRIT PETITION NO. 9513 OF 2022

Arvind Gangadhar Kale

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

228 WRIT PETITION NO. 9514 OF 2022

Sapna Raghunathrao Deshmukh

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

229 WRIT PETITION NO. 9516 OF 2022

Sangita Maroti Gitte

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

230 WRIT PETITION NO. 9517 OF 2022

Shaikh Sameer Shaikh Azimoddin And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

231 WRIT PETITION NO. 9518 OF 2022

Bhakti Rajaram Bhutekar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

232 WRIT PETITION NO. 9520 OF 2022

Swapnil Rajendra Patil

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

233 WRIT PETITION NO. 9521 OF 2022

Shashank Sambhaji Kunte And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

234 WRIT PETITION NO. 9522 OF 2022

Sangita Marotrao Kadam

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

235 WRIT PETITION NO. 9523 OF 2022

Kalpana Annasaheb Nikam

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

236 WRIT PETITION NO. 9524 OF 2022

Nagnath Mangusingh Pawar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

237 WRIT PETITION NO. 9526 OF 2022

Hemlata Subhash Chaudhari

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

238 WRIT PETITION NO. 9527 OF 2022

Aasif Khan Hamid Khan And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 7577 OF 2024

IN WP/9527/2022

Shareen Begum Abdul Qakeer Deshmukh And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

239 WRIT PETITION NO. 9529 OF 2022

Vinod Prataprao Darade And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

240 WRIT PETITION NO. 9531 OF 2022

Shaikh Nishad Ahemad Mumtaj Ahemad And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

241 WRIT PETITION NO. 9532 OF 2022

Nimbalkar Devayani Govindrao

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 3036 OF 2025

IN WP/9532/2022

Nimbalkar Devayani Govindrao

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

242 WRIT PETITION NO. 9533 OF 2022

Sachin Sambhaji Patil

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

243 WRIT PETITION NO. 9534 OF 2022
Dnyanoba Narsingrao Dawargaye
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

244 WRIT PETITION NO. 9535 OF 2022
Haribhau Bhanudas Raut
VERSUS
State Of Maharashtra Through Its Secretary And Others

AND

245 WRIT PETITION NO. 9536 OF 2022
Rani Abasaheb Kshirsagar
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

246 WRIT PETITION NO. 9537 OF 2022
Anita Punjabrao Garud
VERSUS
The State Of Maharashtra Through Its Secreary And Others

AND

247 WRIT PETITION NO. 9539 OF 2022
Rahul Gomaji Pawar And Another
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

248 WRIT PETITION NO. 9540 OF 2022
Aafreen Parveen Muzaffarali Sayyad
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

249 WRIT PETITION NO. 9542 OF 2022
Sushma Sunil Kalekar
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

250 WRIT PETITION NO. 9543 OF 2022

Rajkumari Anilrao Kadam

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

251 WRIT PETITION NO. 9547 OF 2022

Shekhar Vishram Borse

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 3034 OF 2025

IN WP/9547/2022

Shekhar Vishram Borse

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

252 WRIT PETITION NO. 9548 OF 2022

Darshan Shantilal Wanjari

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

253 WRIT PETITION NO. 9549 OF 2022

Mohammed Faraz Gulam Mohiuddin And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

254 WRIT PETITION NO. 9550 OF 2022

Rakhi Ratnakar Lavhande

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

255 WRIT PETITION NO. 9551 OF 2022
Nagesh Sadashivappa Sugare And Others
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

256 WRIT PETITION NO. 9552 OF 2022
Humera Aziz Sayyed And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others
WITH
CIVIL APPLICATION NO. 7578 OF 2024
IN WP/9552/2022
Humera Aziz Sayyed And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

257 WRIT PETITION NO. 9553 OF 2022
Harshal Arunrao Deshmukh And Others
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

258 WRIT PETITION NO. 9555 OF 2022
Swati Bhalchandra Sonje Alias Swati Vikas Kotkar
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

259 WRIT PETITION NO. 9556 OF 2022
Rekha Bhaidas Patil
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

260 WRIT PETITION NO. 9559 OF 2022
Raziya Anjum Samee Khan
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

261 WRIT PETITION NO. 9560 OF 2022

Mallinath Melgiri Kante

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

262 WRIT PETITION NO. 9561 OF 2022

Vinodkumar Gunaji Wavhal

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

263 WRIT PETITION NO. 9562 OF 2022

Kalpana Bhagwanrao Popalghat

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

264 WRIT PETITION NO. 9565 OF 2022

Swati Nagosing Rajput Alias Ravindra Jadhav And Another

VERSUS

The State Of Maharashtra Thorugh Its Principal Secretary And Others

AND

265 WRIT PETITION NO. 9571 OF 2022

Mohammad Taslim Mohammad Ibrahim And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

266 WRIT PETITION NO. 9572 OF 2022

Manjushree Chandrakant Chaure

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

267 WRIT PETITION NO. 9574 OF 2022

Vaishali Rustumrao Kharat

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

268 WRIT PETITION NO. 9576 OF 2022

Naziya Aafreen Yousuf Khan

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

269 WRIT PETITION NO. 9577 OF 2022

Avinash Vyankatrao Dalvi

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

270 WRIT PETITION NO. 9579 OF 2022

Sandip Bhaskar Deore

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

271 WRIT PETITION NO. 9580 OF 2022

Sucheta Baliram Gavit

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

272 WRIT PETITION NO. 9581 OF 2022

Shripat Bhagwanrao Dhage

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

273 WRIT PETITION NO. 9582 OF 2022

Kalyani Raju Madupati And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 10604 OF 2025

IN WP/9573/2022

Sunil Rameshrao Narwade And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 10600 OF 2025

IN WP/11212/2023

Nilseh Ramsing Vasave

VERSUS

The State Of Maharashtra Thr The Secretary And Others

WITH

WRIT PETITION NO. 9484 OF 2022

Vijaya Tukaram Shardul And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

WRIT PETITION NO. 9431 OF 2022

Sayyed Sajid Ali Sadaquat Ali

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9488 OF 2022

Mayuri Shankar Patil And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 8836 OF 2025

IN WP/10097/2022

Mohd Khaleel Mohammad Sahab Ansari

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 4379 OF 2025

IN WP/793/2023

Sandhya Ashok Gode And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9432 OF 2022

Kishan Subhashrao Jadhav And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 10598 OF 2025

IN WP/9484/2022

Vijaya Tukaram Shardul And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

WRIT PETITION NO. 324 OF 2024

Shubhangi Hanumant Shingate

VERSUS

The State Of Maharashtra Thr The Secretary, Mumbai And Others

WITH

CIVIL APPLICATION NO. 6697 OF 2025

IN WP/9431/2022

Sayyed Sajid Ali Sadaquat Ali

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9616 OF 2022

Dipika Shivdas Bagul

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 4385 OF 2025

IN WP/9490/2022

Somnath Raghunath Kardile And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9525 OF 2022

Nalini Ravindra Patil Alias Nalini Ranjitsingh Thakor

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9505 OF 2022

Vasant Govindrao Kandhare And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

WRIT PETITION NO. 9497 OF 2022

Rajaram Gyanoba Gavalwad

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

WRIT PETITION NO. 9569 OF 2022

Pavan Marotirao Manekar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

WRIT PETITION NO. 9502 OF 2022

Sweta Vinayak Pawar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

WRIT PETITION NO. 11212 OF 2023

Nilseh Ramsing Vasave

VERSUS

The State Of Maharashtra Thr The Secretary And Others

WITH

WRIT PETITION NO. 9512 OF 2022

Shivaji Nagorao Malegave And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 4387 OF 2025

IN WP/9490/2022

Dipak Bandu Ahire And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9487 OF 2022

Santram Bhikaji Jumde And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9530 OF 2022

Utkarsh Sudhakar Aher And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9578 OF 2022

Prakash Datta Jaybhaye

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 4407 OF 2025

IN WP/10090/2022

Dnyaneshwar Sahebrao Misal

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9490 OF 2022

Dipak Bandu Ahire And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 10045 OF 2022

Mayuri Ganpatgound Sudanwar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

WRIT PETITION NO. 9748 OF 2022

Dnyaneshwar Gangadhar Yeske

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 9538 OF 2025

IN WP/10085/2022

Heena Kausar Afzal Khan And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

WRIT PETITION NO. 2719 OF 2025

Karishma Sanjay Desale

VERSUS

The State Of Maharashtra And Others

WITH

WRIT PETITION NO. 12184 OF 2025

Haseeb Habib Alias Habeeb Shaikh And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Another

WITH

CIVIL APPLICATION NO. 3668 OF 2026

IN WP/9748/2022

Dnyaneshwar Gangadhar Yeske

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 5272 OF 2025

IN WP/324/2024

Shubhangi Hanumant Shingate

VERSUS

The State Of Maharashtra Thr The Secretary, Mumbai And Others

WITH

WRIT PETITION NO. 3260 OF 2025

Vijay Sitaram Johare And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Another

WITH

WRIT PETITION NO. 2003 OF 2025

Paresh Pratapsingh Rajput

VERSUS

The State Of Maharashtra And Others

WITH

WRIT PETITION NO. 10085 OF 2022

Heena Kausar Afzal Khan And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

WRIT PETITION NO. 7213 OF 2025

Ganesh Andu Deshmukh And Others

VERSUS

The State Of Maharashtra Thr The Secretary And Others

WITH

CIVIL APPLICATION NO. 5271 OF 2025

IN WP/9582/2022

Kalyani Raju Madupati And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 13505 OF 2024

IN WP/9597/2022

Nadim Ahmad Shaikh Ibrahim

VERSUS

The State Of Maharashtra Through Secretary And Others

WITH

WRIT PETITION NO. 9597 OF 2022

Nadim Ahmad Shaikh Ibrahim

VERSUS

The State Of Maharashtra Through Secretary And Others

WITH

WRIT PETITION NO. 9528 OF 2022

Sharad Ramdas Khalane

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 3033 OF 2025

IN WP/9528/2022

Sharad Ramdas Khalane

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9554 OF 2022

Pooja Venkatrao Umate And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9557 OF 2022

Tahura Nausheen Mustafa Hussain Shaikh And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9568 OF 2022

Mohammed Maaz Md Mateen And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9570 OF 2022

Vaishali Vishwas Mhaske

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9519 OF 2022

Ramesh Ramprasad Gadhave And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 10090 OF 2022

Dnyaneshwar Sahebrao Misal

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 10097 OF 2022

Mohd Khaleel Mohammad Sahab Ansari

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 10650 OF 2022

Nabeela Tabassum Saeed Khan Durrani And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 12162 OF 2022

Mayurkumar Sudhakarrao Deshmukh

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 1715 OF 2023

Pooja Vishnu Jadhav

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 793 OF 2023

Mayuri Bhimrao Gavhane And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9440 OF 2022

Naveed Mohammed Abu Mohamed Shaikh And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9452 OF 2022

Anees Khan Nasir Khan

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9465 OF 2022

Atul Tukaram Salunke And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9486 OF 2022

Dharmendra Udhavrao Navale

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 4405 OF 2025

IN WP/9519/2022

Ramesh Ramprasad Gadhave And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 4408 OF 2025

IN WP/9568/2022

Mohammed Maaz Md Mateen And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 4441 OF 2025

IN WP/9465/2022

Mahesh Ramdas Pawar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 4442 OF 2025

IN WP/9465/2022

Yogesh Sominath Karpe

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 4444 OF 2025
IN WP/13105/2022
Saraswati Gangadhar Anmulwad
VERSUS
The State Of Maharashtra Through Its Secretary And Others
WITH
CIVIL APPLICATION NO. 4445 OF 2025
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VERSUS
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WITH
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WITH

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VERSUS

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WITH

CIVIL APPLICATION NO. 4528 OF 2025

IN WP/9554/2022

Shraddha Arvind Bodhekar And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 6703 OF 2025

IN WP/10650/2022

Nabeela Tabassum Saeed Khan Durrani And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 7949 OF 2025

IN WP/9568/2022

Sameena Begum Mohd Lukman

VERSUS

The State Of Maharashtra And Others

WITH

CIVIL APPLICATION NO. 8843 OF 2025

IN WP/9432/2022

Kishan Subhashrao Jadhav

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 6716 OF 2025

IN WP/9440/2022

Naveed Mohammed Abu Mohamed Shaikh And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 6714 OF 2025

IN WP/9440/2022

Sohel Din Mohammed Pathan And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

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Saraswati Gangadhar Anmulwad

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 4384 OF 2025

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Dinesh Nimba Deore

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 4388 OF 2025

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Kishor Rustum Chaudhari

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WITH

CIVIL APPLICATION NO. 4389 OF 2025

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Jyoti Karbhari Shirsath

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WITH

CIVIL APPLICATION NO. 4386 OF 2025

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Satish Dnyaneshwar Ghodke And Another

VERSUS

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WITH

CIVIL APPLICATION NO. 4525 OF 2025

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Ganesh Popatrao Chavan And Another

VERSUS

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WITH

CIVIL APPLICATION NO. 4526 OF 2025

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Gautam Natharao Makasare

VERSUS

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WITH

CIVIL APPLICATION NO. 4527 OF 2025

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Prerana Kailas Wahule

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 4529 OF 2025

IN WP/9554/2022

Annie Nitesh Shrisundar Alias Ani Ashok Khetre And Another

VERSUS

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WITH

CIVIL APPLICATION NO. 6263 OF 2025

IN WP/9519/2022

Shahzad Noor Shaikh And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 4383 OF 2025

IN WP/9490/2022

Pratibha Digambarrao Wanarase

VERSUS

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WITH

CIVIL APPLICATION NO. 4424 OF 2025

IN WP/9487/2022

Gajanan Janardhan Karhale

VERSUS

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WITH

CIVIL APPLICATION NO. 6733 OF 2025

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Mayurkumar Sudhakarrao Deshmukh

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 4378 OF 2025

IN WP/3972/2023

Gayatri Gulab Suryawanshi

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 5277 OF 2025

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Dipika Shivdas Bagul

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 5279 OF 2025

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Mayuri Shankar Patil And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 5337 OF 2025

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Mayuri Ganpatgound Sudanwar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

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VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 5281 OF 2025

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VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 5310 OF 2025

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Pavan Marotirao Manekar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 5336 OF 2025

IN WP/9578/2022

Prakash Datta Jaybhaye

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 5338 OF 2025

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Vasant Govindrao Kandhare And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 10594 OF 2025

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Sweta Vinayak Pawar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 10595 OF 2025

IN WP/9512/2022

Shivaji Nagorao Malegave And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

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Sunil Rameshrao Narwade And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 11904 OF 2025

IN WP/9471/2022

Mosin Khan Husen Khan Pathan

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9471 OF 2022

Mosin Khan Husen Khan Pathan

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 10102 OF 2022

Sandeep Pundlik Kathar Alias Sandeep Pundlik Takalkar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 9913 OF 2022

Bandu Ambadas Gawali

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

WRIT PETITION NO. 3972 OF 2023

Gayatri Gulab Suryawanshi

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 6715 OF 2025

IN WP/9440/2022

Mushtaque Mohammed Noor Mohammed Shaikh

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 5720 OF 2025

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Pooja Vishnu Jadhav

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

274 WRIT PETITION NO. 9583 OF 2022

Dattu Laxman Chelekar

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

275 WRIT PETITION NO. 9584 OF 2022

Prabhakar Hanmant Gundapwar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

276 WRIT PETITION NO. 9585 OF 2022

Shantaram Devidas Lokhande

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

277 WRIT PETITION NO. 9587 OF 2022

Abdul Azim Abdul Alim And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 11958 OF 2025

IN WP/9587/2022

Abdul Azim Abdul Alim And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

278 WRIT PETITION NO. 9588 OF 2022

Sandip Prakash Borse And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

279 WRIT PETITION NO. 9590 OF 2022

Aref Khan Chand Khan Pathan And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

280 WRIT PETITION NO. 9591 OF 2022

Shahnawaz Husain Ajaj Husain Deshmukh

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

281 WRIT PETITION NO. 9593 OF 2022

Indu Pandurang Sarode

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

282 WRIT PETITION NO. 9594 OF 2022

Aruna Pandurang Borude

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

283 WRIT PETITION NO. 9596 OF 2022

Shivcharan Raju Pawar

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

284 WRIT PETITION NO. 9598 OF 2022

Khan Aijaz Ahmad Khan Nasrulla Khan

VERSUS

The State Of Maharashtra Through Secretary And Others

WITH

CIVIL APPLICATION NO. 2199 OF 2025

IN WP/9598/2022

Khan Aijaz Ahmad Khan Nasrulla Khan

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

285 WRIT PETITION NO. 9599 OF 2022

Zulkar Khan Ibadat Khan

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

286 WRIT PETITION NO. 9600 OF 2022

Prashant Ishwar Chaudhari

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

287 WRIT PETITION NO. 9601 OF 2022

Fouziya Jahan Ayyub Khan

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

288 WRIT PETITION NO. 9602 OF 2022

Ruksana Ramjan Tadavi

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

289 WRIT PETITION NO. 9603 OF 2022

Tushar Dilip Patil

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

290 WRIT PETITION NO. 9604 OF 2022

Pankaj Mangal Patil

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

291 WRIT PETITION NO. 9605 OF 2022

Varsha Pruthviraj Patil

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

292 WRIT PETITION NO. 9606 OF 2022

Mohammed Ismail Mohammed Sadique Momin

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

293 WRIT PETITION NO. 9607 OF 2022

Absar Ahemad Mohammad Hanif Shaikh

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

294 WRIT PETITION NO. 9608 OF 2022

Mirza Mohammad Ziya Razzaque Beg

VERSUS
The State Of Maharashtra Through Secretary And Others

AND
295 WRIT PETITION NO. 9609 OF 2022
Pooja Suresh Bagul
VERSUS
The State Of Maharashtra Through Secretary And Others

AND
296 WRIT PETITION NO. 9610 OF 2022
Madhuri Asaram Bartake
VERSUS
The State Of Maharashtra Through Secretary And Others

AND
297 WRIT PETITION NO. 9611 OF 2022
Dinkar Ravindra Wagh
VERSUS
The State Of Maharashtra Through Secretary And Others

AND
298 WRIT PETITION NO. 9612 OF 2022
Balasaheb Rambhau Shinde
VERSUS
The State Of Maharashtra Through Secretary And Others

AND
299 WRIT PETITION NO. 9613 OF 2022
Manisha Jagannath Mahajan
VERSUS
The State Of Maharashtra Through Secretary And Others

AND
300 WRIT PETITION NO. 9614 OF 2022
Kavita Tukaram Patil
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

301 WRIT PETITION NO. 9615 OF 2022
Rukmin Baburao Mugale
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

302 WRIT PETITION NO. 9730 OF 2022
Ranjeet Venkatrao Dange And Others
VERSUS
The State Of Maharashra Through Its Principal Secretary And Others

AND

303 WRIT PETITION NO. 9736 OF 2022
Sachin Pandharinath Pawar
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

304 WRIT PETITION NO. 9744 OF 2022
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VERSUS
State Of Maharashtra Through Secretary And Others

AND

305 WRIT PETITION NO. 9745 OF 2022
Shaikh Rizwan Shaikh Yaqoob
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

306 WRIT PETITION NO. 9746 OF 2022
Kalpita Govinda Kore
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

307 WRIT PETITION NO. 9749 OF 2022
Sumayya Firdos Shaikh Ahmed
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

308 WRIT PETITION NO. 9750 OF 2022

Vijay Dnyaneshwar Kurhe

VERSUS

The State Of Maharashtra Through The Principal Secretary And Others

AND

309 WRIT PETITION NO. 9753 OF 2022

Swapnil Sudam Shinde

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 10141 OF 2025

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Swapnil Sudam Shinde

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

310 WRIT PETITION NO. 9754 OF 2022

Ajay Laxmanrao Kadam

VERSUS

The State Of Maharashtra Through The Principal Secretary And Others

AND

311 WRIT PETITION NO. 9755 OF 2022

Syed Naseeroddin Hashmi Syed Yousuf Ali

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

312 WRIT PETITION NO. 9757 OF 2022

Jyoti Nivrutirao Kale And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 10122 OF 2025

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Jyoti Nivrutirao Kale And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

313 WRIT PETITION NO. 9759 OF 2022

Mateen Khanam Abdul Aleem Khan

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

314 WRIT PETITION NO. 9760 OF 2022

Foziya Minahaj Afzal Ahmed Khan

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

315 WRIT PETITION NO. 9761 OF 2022

Vaishali Ashokrao Dhanpalwar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

316 WRIT PETITION NO. 9762 OF 2022

Naziya Begum Ashfaq Hussain

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

317 WRIT PETITION NO. 9767 OF 2022

Amol Shivaji Patole

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 10130 OF 2025

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Amol Shivaji Patole

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

318 WRIT PETITION NO. 9770 OF 2022

Sameera Farheen Abdul Rauf

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

319 WRIT PETITION NO. 9850 OF 2022

Smita Udaysing Sisode

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

320 WRIT PETITION NO. 9853 OF 2022

Akram Fatema Jaleel Ahmed And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

321 WRIT PETITION NO. 9881 OF 2022

Saraswati Govindrao Watane

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

322 WRIT PETITION NO. 9882 OF 2022

Nagesh Pralhad Sonar

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

323 WRIT PETITION NO. 9886 OF 2022

Kanchan Harshal Chaudhary

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

324 WRIT PETITION NO. 9887 OF 2022

Ketankumar Jagannath Sonawane

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

325 WRIT PETITION NO. 9891 OF 2022

Shaikh Zakera Asadullah

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

326 WRIT PETITION NO. 9892 OF 2022

Rahul Jijabrao Patil

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

327 WRIT PETITION NO. 9893 OF 2022

Swapnil Damohdar Sangle

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

328 WRIT PETITION NO. 9894 OF 2022

Pravin Pandit Dhundale

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

329 WRIT PETITION NO. 9895 OF 2022

Prasad Ravindra Patil

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

330 WRIT PETITION NO. 9898 OF 2022

Mohd Afzal Qureshi Mohd Farooque Qureshi

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

331 WRIT PETITION NO. 9907 OF 2022
Rekha Gangaram Dandegavkar
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

332 WRIT PETITION NO. 9920 OF 2022
Dipashree Rajendra Mali
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

333 WRIT PETITION NO. 9924 OF 2022
Dipa Jagjivan Shah
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

334 WRIT PETITION NO. 10074 OF 2022
Ateequr Raheman Muqeet Ahmed
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

335 WRIT PETITION NO. 10075 OF 2022
Asma Begum Aleem Khan
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

336 WRIT PETITION NO. 10076 OF 2022
Zeeshan Zakir Patel
VERSUS
The State Of Maharashtra Through Secretary And Others
WITH
CIVIL APPLICATION NO. 6321 OF 2023
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VERSUS
The State Of Maharashtra Through Secretary And Other

WITH

CIVIL APPLICATION NO. 6325 OF 2023

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Zeeshan Zakir Patel

VERSUS

The State Of Maharashtra Through Secretary And Other

AND

337 WRIT PETITION NO. 10077 OF 2022

Balaji Bhanudas Kakade And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

338 WRIT PETITION NO. 10078 OF 2022

Abdullah Saud Bashiruz Zama

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

339 WRIT PETITION NO. 10079 OF 2022

Ammara Maryam Bashiruz Zama

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

340 WRIT PETITION NO. 10080 OF 2022

Mahveen Fatema Mirza Kalim Baig

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

341 WRIT PETITION NO. 10081 OF 2022

Mohammed Ismail Abdul Razzaque

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

342 WRIT PETITION NO. 10082 OF 2022

Abdul Rub Abdul Habeeb

VERSUS
The State Of Maharashtra Through Secretary And Others

AND
343 WRIT PETITION NO. 10083 OF 2022
Neha Mohammed Afsar
VERSUS
The State Of Maharashtra Through Secretary And Others

AND
344 WRIT PETITION NO. 10084 OF 2022
Abbasi Mohammed Zubair
VERSUS
The State Of Maharashtra Through Secretary And Others

AND
345 WRIT PETITION NO. 10087 OF 2022
Ganesh Ankush Shelar And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND
346 WRIT PETITION NO. 10088 OF 2022
Shital Sunil Badgujar And Another
VERSUS
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AND
347 WRIT PETITION NO. 10089 OF 2022
Sobiya Nazneen Md Rafiuddin
VERSUS
The State Of Maharashtra Through Secretary And Others

AND
348 WRIT PETITION NO. 10092 OF 2022
Dinesh Pundlik Chaudhari
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

349 WRIT PETITION NO. 10093 OF 2022
Harshal Pandurang Mahajan And Other
VERSUS
The State Of Maharashtra And Other

AND

350 WRIT PETITION NO. 10095 OF 2022
Surekha Baban Khedkar
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

351 WRIT PETITION NO. 10096 OF 2022
Sarita Kacharu Kathar
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

352 WRIT PETITION NO. 10098 OF 2022
Sachin Sonaji Chavan And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

353 WRIT PETITION NO. 10099 OF 2022
Abhijeet Shankarrao Jagtap
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

354 WRIT PETITION NO. 10100 OF 2022
Raju Motising Kuwar And Another
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

355 WRIT PETITION NO. 10103 OF 2022
Rajendra Mohan Patil
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

356 WRIT PETITION NO. 10104 OF 2022

Gangasagar Asaram Kadam And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

357 WRIT PETITION NO. 10105 OF 2022

Shital Rajendra More And Another

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

358 WRIT PETITION NO. 10109 OF 2022

Reshma Shivaji Kele And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

359 WRIT PETITION NO. 10110 OF 2022

Rajiv Maroty Gundile

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

360 WRIT PETITION NO. 10113 OF 2022

Muzammil Ambari Abdul Karim

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

361 WRIT PETITION NO. 10240 OF 2022

Shaikh Altaf Danish Chand Pasha

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

362 WRIT PETITION NO. 10248 OF 2022

Santosh Devrao Shelke

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

363 WRIT PETITION NO. 10338 OF 2022

Sayyed Taufeek Ahemad Khalil Ahemad

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

364 WRIT PETITION NO. 10356 OF 2022

Mohd Mohtashim Soheb Mohd Muneeruddin

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

365 WRIT PETITION NO. 10445 OF 2022

Rajya Divlya Tadvi

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

366 WRIT PETITION NO. 10447 OF 2022

Dinesh Sakharam Chavan And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

367 WRIT PETITION NO. 10451 OF 2022

Rupali Prakashrao Deshmukh Alias Rupali Deepak Jahagirdar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

368 WRIT PETITION NO. 10452 OF 2022

Natvar Bayja Patale

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

369 WRIT PETITION NO. 10462 OF 2022

Varsha Sheshrao Gadhave

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

370 WRIT PETITION NO. 10480 OF 2022

Eknath Sopanrao Tale And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

371 WRIT PETITION NO. 10481 OF 2022

Dnyaneshwar Namdev Sangave

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

372 WRIT PETITION NO. 10486 OF 2022

Manoj Dnyanoba More And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

373 WRIT PETITION NO. 10487 OF 2022

Avinash Nagorao Kandhare

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

374 WRIT PETITION NO. 10554 OF 2022

Pathan Parvej Munirkhan

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

375 WRIT PETITION NO. 10574 OF 2022

Sudam Bapu Mujage

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

376 WRIT PETITION NO. 10628 OF 2022

Jayashri Digambar Borchate

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

377 WRIT PETITION NO. 10643 OF 2022

Hajera Begum Mohammad Yosuf Momin And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

378 WRIT PETITION NO. 10648 OF 2022

Baloch Abdul Haq Gulam Qadar

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

379 WRIT PETITION NO. 10649 OF 2022

Shoeb Abdul Sattar Khatik

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

380 WRIT PETITION NO. 10662 OF 2022

Archana Laxman Kuklare

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

381 WRIT PETITION NO. 10665 OF 2022

Mohammed Junaid Mohammed Taher

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

382 WRIT PETITION NO. 10673 OF 2022

Sachin Upendra Puranik

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

383 WRIT PETITION NO. 10676 OF 2022

Nitesh Ashok Patil

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

384 WRIT PETITION NO. 10759 OF 2022

Ganesh Pandit Chavan And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

385 WRIT PETITION NO. 10864 OF 2022

Shobha Pundalik Jadhav And Others

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

386 WRIT PETITION NO. 10879 OF 2022

Rakesh Ramesh Koli

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

387 WRIT PETITION NO. 10885 OF 2022

Shaikh Ahmed Shaikh Hameed

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

388 WRIT PETITION NO. 10921 OF 2022

Usmani Aruba Jamal Liyaqat Ali

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 9543 OF 2025
IN WP/10921/2022
Usmani Aruba Jamal Liyaqat Ali
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

389 WRIT PETITION NO. 10922 OF 2022
Sachin Bhimrao Lokhande And Another
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

390 WRIT PETITION NO. 10923 OF 2022
Swati Bharat Koli
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

391 WRIT PETITION NO. 10935 OF 2022
Dnyaneshwar Waman Jadhav
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

392 WRIT PETITION NO. 10936 OF 2022
Balaji Bajirao Jadhav
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

393 WRIT PETITION NO. 10951 OF 2022
Shilatai Limbaji Naik
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

394 WRIT PETITION NO. 10956 OF 2022
Kundlik Bhanudas Rathod And Others
VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

395 WRIT PETITION NO. 10960 OF 2022

Archana Damodar Jogdand

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

396 WRIT PETITION NO. 11250 OF 2022

Nasreen Abdul Raheman Shaikh

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

397 WRIT PETITION NO. 11253 OF 2022

Priyanka Narsing Mule Alias Priyanka Sachin Pawar

VERSUS

The State Of Maharashtra Through The Principal Secretary And Others

AND

398 WRIT PETITION NO. 11254 OF 2022

Ashanka Narsing Mule

VERSUS

The State Of Maharashtra Through The Principal Secretary And Others

AND

399 WRIT PETITION NO. 11614 OF 2022

Amol Bapuji Baviskar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

400 WRIT PETITION NO. 11676 OF 2022

Punyrath Surybhan Khandagale

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

401 WRIT PETITION NO. 11677 OF 2022

Ajay Amarsingh Nimbalkar And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

402 WRIT PETITION NO. 11690 OF 2022

Mohammad Yaqub Mohammad Ibrahim

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

403 WRIT PETITION NO. 12137 OF 2022

Nilesh Maroti Rathod

VERSUS

The State Of Maharashtra Through Its Secretay And Others

AND

404 WRIT PETITION NO. 12139 OF 2022

Anil Gangadhar Salunke And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

405 WRIT PETITION NO. 12149 OF 2022

Vinod Ashok Gadekar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

406 WRIT PETITION NO. 12206 OF 2022

Pathan Mohammad Khan Chand Khan And Others

VERSUS

The State Of Maharashtra Through Its Secretay And Others

AND

407 WRIT PETITION NO. 12207 OF 2022

Digambar Kisan Pawar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

408 WRIT PETITION NO. 12222 OF 2022

Sanap Dropadi Vaijinath And Another

VERSUS

The State Of Maharashtra Though Its Secretary Education And Sports Department And Others

AND

409 WRIT PETITION NO. 12234 OF 2022

Rekha Gokul Chudhari

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

410 WRIT PETITION NO. 12237 OF 2022

Syeda Tanzeela Fatima Sayyad Shamshand

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

411 WRIT PETITION NO. 12488 OF 2022

Abdul Quaiyyum Abdussamad Shaikh

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

412 WRIT PETITION NO. 12928 OF 2022

Ahmad Pasha Ismail Nabi Shaikh

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

413 WRIT PETITION NO. 12932 OF 2022

Shaikh Tabassum Begum Khaja Qumruddin

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

414 WRIT PETITION NO. 13047 OF 2022

Rohit Vishwanath Tarte

VERSUS

The State Of Maharashtra Through Its Additional Chief Secretary And Others

AND

415 WRIT PETITION NO. 13120 OF 2022

Vaibhav Ramesh Mohane

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

416 WRIT PETITION NO. 72 OF 2023

Nileshkumar Chotulala Chaudhari And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

417 WRIT PETITION NO. 96 OF 2023

Manohar Hiraman Bhoye

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

418 WRIT PETITION NO. 97 OF 2023

Tensingh Baburao Vasave

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

419 WRIT PETITION NO. 98 OF 2023

Dhiraj Laxman Bandichode And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

420 WRIT PETITION NO. 103 OF 2023

Girish Tarachand Chavhan And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

421 WRIT PETITION NO. 105 OF 2023

Jayshree Ashok Potawade And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

422 WRIT PETITION NO. 106 OF 2023

Kishore Murlidhar Mahale And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

423 WRIT PETITION NO. 120 OF 2023

Shilpandu Ajay Singh And Another

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

424 WRIT PETITION NO. 210 OF 2023

Bangale Ramchandra Bhujunga And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

425 WRIT PETITION NO. 287 OF 2023

Priti Shantill Chaudhari

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

426 WRIT PETITION NO. 342 OF 2023

Mohsin Ahemad Iqbal Mulla And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

427 WRIT PETITION NO. 343 OF 2023
Swati Swapnil Patil And Another
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

428 WRIT PETITION NO. 351 OF 2023
Laxman Gokul Bagul
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

429 WRIT PETITION NO. 479 OF 2023
Rahul Suresh Dhangar
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

431 WRIT PETITION NO. 1082 OF 2023
Mohammed Fuzail Awais Mohammed Fasihuddin
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

432 WRIT PETITION NO. 1201 OF 2023
Sadiya Fatema Anawar Ali Shah
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

433 WRIT PETITION NO. 1514 OF 2023
Farzana Mohammad Shaikh
VERSUS
The State Of Maharashtra Through District Collector And Others

AND

434 WRIT PETITION NO. 1647 OF 2023
Suryakant Kashinath Katkade
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

435 WRIT PETITION NO. 1816 OF 2023

Shaikh Danish Ahmed Shaikh Hameed

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

436 WRIT PETITION NO. 1945 OF 2023

Avinash Prakash Kadam

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

437 WRIT PETITION NO. 1977 OF 2023

Rajendra Govindrao Kalpe

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

438 WRIT PETITION NO. 2004 OF 2023

Vishal Krishnadas Wagh And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

439 WRIT PETITION NO. 2032 OF 2023

Swapnil Kadu Deokar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

440 WRIT PETITION NO. 2055 OF 2023

Qureshi Mudassir Shehzad Naseer Khan

VERSUS

State Of Maharashtra Through Secretary And Others

AND

441 WRIT PETITION NO. 2056 OF 2023
Pathan Sufiyan Ahmad Khan Pathan Anis Ahmed Khan
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

442 WRIT PETITION NO. 2057 OF 2023
Swati Gautam Sonawane
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

443 WRIT PETITION NO. 2789 OF 2023
Shaziya Anjum Md Azeem Shaikh
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Another

AND

444 WRIT PETITION NO. 2835 OF 2023
Nitin Madhukar Sonwane
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

446 WRIT PETITION NO. 4202 OF 2023
Sanjay Jayram Chaure And Others
VERSUS
The State Of Maharashtra Through The Secretary And Others

AND

447 WRIT PETITION NO. 4203 OF 2023
Shaikh Sabir Shaikh Jamrud Patve And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

448 WRIT PETITION NO. 4205 OF 2023
Monika Lahu Chavan And Another
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

449 WRIT PETITION NO. 4208 OF 2023

Vilas Gardya Vasave And Another

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

450 WRIT PETITION NO. 4338 OF 2023

Farooqui Mudassir Ahmed

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

451 WRIT PETITION NO. 4364 OF 2023

Pramod Dilip Gote

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

452 WRIT PETITION NO. 4365 OF 2023

Umesh Gopal Kulkarni

VERSUS

The State Of Maharashtra Through The Principal Secretary And Others

AND

453 WRIT PETITION NO. 4366 OF 2023

Ravindra Ramdas Patkar And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

454 WRIT PETITION NO. 4367 OF 2023

Ravindra Maharugir Gosavi

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

455 WRIT PETITION NO. 4373 OF 2023
Pravin Sudam Deshmukh And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

456 WRIT PETITION NO. 4422 OF 2023
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VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

457 WRIT PETITION NO. 4630 OF 2023
Amol Manohar Pawar
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

458 WRIT PETITION NO. 4688 OF 2023
Sandip Abhmanyu Pradhan
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

459 WRIT PETITION NO. 4765 OF 2023
Ashwinee Ashok Jadhav
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

460 WRIT PETITION NO. 5419 OF 2023
Kisanrao More Education Society Through Its President
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

461 WRIT PETITION NO. 5421 OF 2023
Pravin Govind Surve
VERSUS
The State Of Maharashtra Through The Secretary And Others

WITH

CIVIL APPLICATION NO. 7292 OF 2023

IN WP/5418/2023

Gajanan Shahu Keripale

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 212 OF 2023

Digvijay Dattatray Inamdar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 7300 OF 2023

IN WP/5422/2023

Pratibha Sanjay Bhoye Nee Pratibha Laxman Bagul

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 5418 OF 2023

Gajanan Shahu Keripale

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

CIVIL APPLICATION NO. 7294 OF 2023

IN WP/5417/2023

Shahzadeaalam Mushtaque Sandarwale

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 1334 OF 2024

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Fatima Akram Ichalkaranje

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 1370 OF 2024

Ikhlaque Azeem Patel

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 1374 OF 2024

Fatima Akram Ichalkaranje

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 5420 OF 2023

Nutan Vinayak Pingulkar Nee Nutan Vinayak Shenai

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 11230 OF 2023

Amit Mahadev Lad

VERSUS

The State Of Maharashtra Thr Its Secretary And Ors

WITH

WRIT PETITION NO. 5417 OF 2023

Shahzadeaalam Mushtaque Sandarwale

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 11215 OF 2023

Manisha Eknath Bagane Name After Marriage Smt. Manisha Jaywant Korane

VERSUS

The State Of Maharashtra Thr The Secretary, Mumbai And Others

WITH

CIVIL APPLICATION NO. 1332 OF 2024

IN WP/1370/2024

Ikhlaque Azeem Patel

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 320 OF 2024

Ashwini Vilas Honmane

VERSUS

The State Of Maharashtra Thr The Secretary And Others

WITH

WRIT PETITION NO. 5422 OF 2023

Pratibha Sanjay Bhoye Nee Pratibha Laxman Bagul

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 11241 OF 2023

Inamulhasan Ayyubali Patel

VERSUS

The State Of Maharashtra Thr The Secretary School Education And Sports Dept. Mumbai And Others

WITH

WRIT PETITION NO. 974 OF 2024

Mohsinahmed Iqbalsab Mulla

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 99 OF 2023

Sumaiya Salil Juwale Nee Sumaia Sayeed Ibji

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 1373 OF 2024

Amaranath Kaniram Rathod

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 1371 OF 2024

Nilesh Chandu Rathod

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

462 WRIT PETITION NO. 5428 OF 2023

Vidya Vishnu Patil And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

463 WRIT PETITION NO. 5429 OF 2023

Swapnil Bhagwan Patil And Another

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

464 WRIT PETITION NO. 5440 OF 2023
Sonal Rajendra Morey And Another
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

465 WRIT PETITION NO. 5441 OF 2023
Vandana Barku Chaudhari
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

466 WRIT PETITION NO. 5470 OF 2023
Prashant Panditrao Pradhan And Another
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

467 WRIT PETITION NO. 5736 OF 2023
Sunil Dhanraj Bhusare And Others
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

468 WRIT PETITION NO. 6319 OF 2023
Nikhil Nandu Thakare And Others
VERSUS
The State Of Maharashtra Through The Secretary And Others

AND

469 WRIT PETITION NO. 6320 OF 2023
Chhaya Dilip Chavan
VERSUS
The State Of Maharashtra Through The Secretary And Others

AND

470 WRIT PETITION NO. 6322 OF 2023
Shaikh Sanober Yusuf And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

471 WRIT PETITION NO. 6345 OF 2023

Swati Kashinath Singanwad

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

472 WRIT PETITION NO. 7152 OF 2023

Umadevi Vasantrao Sonawane

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

473 WRIT PETITION NO. 7154 OF 2023

Sudam Bowaji Pawar

VERSUS

The State Of Maharashtra Thr Its Principal Secretary, Mumbai And Others

AND

474 WRIT PETITION NO. 7401 OF 2023

Abuzaid Ahmad Mohd Iqbal

VERSUS

The State Of Maharashtra Through Education And Sports Department And Others

AND

475 WRIT PETITION NO. 7402 OF 2023

Pallavi Suresh Shevane And Another

VERSUS

The State Of Maharashtra And Others

AND

476 WRIT PETITION NO. 7413 OF 2023

Poonam Bhikan Shewale

VERSUS

The State Of Maharashtra Thr Its Principal Secretary And Others

AND

477 WRIT PETITION NO. 7415 OF 2023
Archana Subhash Garud
VERSUS
The State Of Maharashtra Through The Secretary And Others

AND

478 WRIT PETITION NO. 7416 OF 2023
Sweety Samuel D Souza And Others
VERSUS
The State Of Maharashtra Through The Secretary And Others

AND

479 WRIT PETITION NO. 7417 OF 2023
Shaikh Bushra Mohammad Mizan
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Another

AND

480 WRIT PETITION NO. 7418 OF 2023
Maharu Tukaram Bhoye
VERSUS
The State Of Maharashtra Through The Secretary And Others

AND

481 WRIT PETITION NO. 7472 OF 2023
Pratiksha Pralhad Wagh
VERSUS
The State Of Maharashtra Through Its Chief Secretary And Others

AND

482 WRIT PETITION NO. 7587 OF 2023
Laxmi Devidas Umbarkar
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

483 WRIT PETITION NO. 7670 OF 2023
Shailesh Kalba Kasabe
VERSUS
The State Of Maharashtra Through Secretary Department Of School

Education And Others

AND

484 WRIT PETITION NO. 8108 OF 2023

Shaikh Husna Yasmeen Shaikh Hameed

VERSUS

The State Of Maharashtra Through Secretary School Education Department And Others

AND

485 WRIT PETITION NO. 8135 OF 2023

Shaikh Humera Bano Azam Hussain

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

486 WRIT PETITION NO. 8453 OF 2023

Rutuja Vinot Mulke

VERSUS

The Commissioner Mahrashtra Staet Examination Parishad Pune And Others

AND

487 WRIT PETITION NO. 8457 OF 2023

Anisa Begam Nurkhan Pathan

VERSUS

The State Of Maharashtra Through Education And Sports And Department And Others

AND

488 WRIT PETITION NO. 8459 OF 2023

Vivek Dhanpal Zamare

VERSUS

The State Of Maharashtra Through Education And Sports And Department And Others

AND

489 WRIT PETITION NO. 8460 OF 2023

Mohammad Faisal Sheikh Rahim Bharti

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 9585 OF 2026

IN WP/8460/2023

Mohammad Faisal Sheikh Rahim Bharti

VERSUS

The State Of Maharashtra Thr Education And Sports Dept And Others

AND

490 WRIT PETITION NO. 8461 OF 2023

Mohd Arshad Mohd Rafique Patel

VERSUS

The State Of Maharashtra Through Its Education And Sports Department And Others

AND

491 WRIT PETITION NO. 8462 OF 2023

Mirza Sufyan Baig Mirza Sattar Baig

VERSUS

The State Of Maharashtra Through Education And Sports Department And Others

AND

492 WRIT PETITION NO. 8463 OF 2023

Sadaf Parveen Shafique Khan And Another

VERSUS

The State Of Maharashtra Through Education And Sports Department And Others

AND

493 WRIT PETITION NO. 8513 OF 2023

Manohar Ulaji Khandavi Alias Navasu Alushya Khandavi

VERSUS

The State Of Maharashtra Through The Principal Secreary And Others

AND

494 WRIT PETITION NO. 8521 OF 2023

Md Rasheed Saleem Ab Qadeer

VERSUS

The State Of Maharashtra Through Education And Sports Department And Others

AND

495 WRIT PETITION NO. 8600 OF 2023

Mohammad Nadeem Mohammad Saleem And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

496 WRIT PETITION NO. 8837 OF 2023

Joyti Popatrao Bhosale

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

497 WRIT PETITION NO. 8846 OF 2023

Uzma Fatema Rafeeque Baig Mirza And Others

VERSUS

The State Of Maharashtra Through Its Secretary Education And Sports Department And Others

AND

498 WRIT PETITION NO. 8855 OF 2023

Sulbha Kiran Dhamode And Another

VERSUS

The State Of Maharashtra Thr Its Principal Secretary And Others

AND

499 WRIT PETITION NO. 9057 OF 2023

Rajendra Bhaurao Deshmukh And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

500 WRIT PETITION NO. 9760 OF 2023

Javed Khan Aziz Khan

VERSUS

The State Of Maharashtra And Others

AND

501 WRIT PETITION NO. 9763 OF 2023
Savita Bhaurao Tirbude
VERSUS
The State Of Maharashtra Through Education And Sports Department And Others

AND

502 WRIT PETITION NO. 9787 OF 2023
Shahbaz Ahmad Khan Mohd Ismail Khan
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

503 WRIT PETITION NO. 9788 OF 2023
Zahid Khan Kale Khan
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

504 WRIT PETITION NO. 9789 OF 2023
Mohd Yusuf Khan Ismail Khan
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

505 WRIT PETITION NO. 9790 OF 2023
Sajid Iqbal Qamruddin
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

506 WRIT PETITION NO. 9796 OF 2023
Salman Khan Zafar Khan Deshmukh
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

507 WRIT PETITION NO. 9797 OF 2023
Imran Khan Aliyar Khan
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

508 WRIT PETITION NO. 9802 OF 2023

Khan Irfan Ahmad Ibrahim

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

509 WRIT PETITION NO. 9803 OF 2023

Abdullah Khan Mohd Ibrahim Khan

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

510 WRIT PETITION NO. 9804 OF 2023

Abdul Raheman Khan Ibrahim Khan

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

511 WRIT PETITION NO. 10456 OF 2023

Siddheshwar Nivrutti Kute

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

512 WRIT PETITION NO. 10458 OF 2023

Munizza Jabeen Yusuf Khan And Others

VERSUS

State Of Maharashtra Through Its Secretary And Others

AND

513 WRIT PETITION NO. 10465 OF 2023

Naziya Tarannum Abdul Zameer

VERSUS

State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 9584 OF 2026

IN WP/10465/2023

Naziya Tarannum Abdul Zameer
VERSUS
State Of Maharashtra Thr Education And Sports Dept And Others

AND

514 WRIT PETITION NO. 10698 OF 2023
Mohammad Javed Iqbal Abdul Waheed
VERSUS
State Of Maharashtra Through Education And Sports Department And Others

AND

515 WRIT PETITION NO. 10700 OF 2023
Mohammad Sagheer Mohammad Shawkat
VERSUS
State Of Maharashtra Through Education And Sports Department And Another

AND

516 WRIT PETITION NO. 10815 OF 2023
Raju Jagannath Mehetre
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

517 WRIT PETITION NO. 10816 OF 2023
Nandkishor Dattatray Mhaske
VERSUS
The State Of Maharashtra Throuhg Its Principal Secretary And Others

AND

518 WRIT PETITION NO. 10817 OF 2023
Vaibhav Arvind Shingne
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

519 WRIT PETITION NO. 10822 OF 2023
Mohd Ameen Mohd Akbar And Others
VERSUS
State Of Maharashtra Through Education And Sports Department

And Another

AND

520 WRIT PETITION NO. 10877 OF 2023

Ratna Prakash Tarware

VERSUS

State Of Maharashtra Through Education And Sports Department And Others

AND

521 WRIT PETITION NO. 10878 OF 2023

Sohail Ahmed Ansari Khaleel Ansari

VERSUS

State Of Maharashtra Through Education And Sports Department And Others

AND

522 WRIT PETITION NO. 10879 OF 2023

Sujit Purushottam Diwate

VERSUS

The State Of Maharashtra Throuhg Its Principal Secretary And Others

AND

523 WRIT PETITION NO. 10887 OF 2023

Minal Vasant Patil

VERSUS

The State Of Maharashtra Throuhg Its Principal Secretary And Others

AND

524 WRIT PETITION NO. 10888 OF 2023

Janaid Khan Hamid Khan And Others

VERSUS

State Of Maharashtra Through Education And Sports Department And Another

AND

525 WRIT PETITION NO. 10943 OF 2023

Ashutosh Arvindrao Rajeingle

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

526 WRIT PETITION NO. 11076 OF 2023

Bandu Dhrupatrao Dhakne

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

527 WRIT PETITION NO. 11172 OF 2023

Mohd Waseem Sheikh Amir And Another

VERSUS

The State Of Maharashtra Through Education And Sports Department And Others

AND

528 WRIT PETITION NO. 11173 OF 2023

Mohd Faizan Mohd Sabir

VERSUS

The State Of Maharashtra Through Education And Sports Department And Others

AND

529 WRIT PETITION NO. 11174 OF 2023

Nuzhat Pravin Aabid Khan

VERSUS

The State Of Maharashtra Through Education And Sports Department And Others

AND

530 WRIT PETITION NO. 11175 OF 2023

Darkhsha Tahaseen Kalimoddin

VERSUS

The State Of Maharashtra Through Education And Sports Department And Others

AND

531 WRIT PETITION NO. 11213 OF 2023

Jubair Hussain Mahapule

VERSUS

State Of Maharashtra Thr. The Principal Secretary And Others

AND

532 WRIT PETITION NO. 11214 OF 2023

Varsha Manoj Bhosale

VERSUS

The State Of Maharashtra Thr Secretary, Department Of School Education And Sports And Others

AND

533 WRIT PETITION NO. 11216 OF 2023

Mohammed Sajid Abdul Kadar Patwekar And Another

VERSUS

The State Of Maharashtra Thr Its Principal Secretary And Others

AND

534 WRIT PETITION NO. 11318 OF 2023

Savita Trimbak Ghadge

VERSUS

The State Of Maharashtra Through Its Chief Secretary And Others

AND

535 WRIT PETITION NO. 11650 OF 2023

Zameer Khan Yunus Khan And Others

VERSUS

State Of Maharashtra Through Education And Sports Department And Another

AND

536 WRIT PETITION NO. 11671 OF 2023

Sayyad Danish Ali Akbarali

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

CIVIL APPLICATION NO. 7573 OF 2024

IN WP/11671/2023

Sayyad Danish Ali Akbarali

VERSUS

The Maharashtra State Through Its Secretary And Others

AND

537 WRIT PETITION NO. 11696 OF 2023
Mohamad Mudassir Abdul Rashid
VERSUS
The State Of Maharashtra Through The Secretary And Others

AND

538 WRIT PETITION NO. 11702 OF 2023
Syed Javed Ali Afsar Ali
VERSUS
The State Of Maharashtra Through Education And Sports Department And Others

AND

539 WRIT PETITION NO. 11846 OF 2023
Ashwini Kashinath Jadhav
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

540 WRIT PETITION NO. 12335 OF 2023
Salim Munaf Tadvi
VERSUS
State Of Maharashtra Through Its Principal Secretary And Others

AND

541 WRIT PETITION NO. 12535 OF 2023
Kavita Ankush Shankpal
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

542 WRIT PETITION NO. 12854 OF 2023
Nisar Ahmed Shafique Ahmed (maniya)
VERSUS
The State Of Maharashtra

AND

543 WRIT PETITION NO. 12869 OF 2023
Mayabai Hilal Bhamare
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

544 WRIT PETITION NO. 12939 OF 2023

Mohammad Siddique Ashraf Tadvi Bheel

VERSUS

The State Of Maharashtra

AND

545 WRIT PETITION NO. 13111 OF 2023

Dmello Larisa Brazil And Ors

VERSUS

The State Of Maharashtra Thr Its Principal Secretary And Others

AND

546 WRIT PETITION NO. 13236 OF 2023

Smita Ramesh Barela

VERSUS

The State Of Maharashtra Through Secretary Others

AND

547 WRIT PETITION NO. 13375 OF 2023

Sandip Motu Pawar And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13388 OF 2023

Varsha Vinayak Ahire

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13390 OF 2023

Poonam Valmik Shinde And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13344 OF 2023

Swati Arjun Markand

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13359 OF 2023

Vishal Dilip Salunke

VERSUS

The State Of Maharashtra Thorugh The Secretary And Others

WITH

WRIT PETITION NO. 13387 OF 2023

Uttam Somnath Gangode And Others

VERSUS

The State Of Maharashtra Through The Secretary And Another

WITH

WRIT PETITION NO. 13389 OF 2023

Swati Ravindra Pagar And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13365 OF 2023

Manisha Kashinath Gaikwad And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13348 OF 2023

Arun Raghunath Mahadik

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13356 OF 2023

Archana Vilas Shelar And Another

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13350 OF 2023

Rupali Babulal Jadhav

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13351 OF 2023

Girish Kailash Sawant

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13362 OF 2023

Sujata Vinayak Awale And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13343 OF 2023

Nilambari Dhananjay Buchude

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13346 OF 2023

Stephie Sushant Ransing Alias Stephie Sebastian John

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13371 OF 2023

Shephie Sushant Ransing Alias Stehie Sebastian John

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

WRIT PETITION NO. 13357 OF 2023

Savita Nivrutti Bansode

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

548 WRIT PETITION NO. 13429 OF 2023

Shantanu Sanjay Mali

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

549 WRIT PETITION NO. 13464 OF 2023

Kavita Bhaidas Marathe

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

550 WRIT PETITION NO. 13475 OF 2023

Usha Vasudev Vasave

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

551 WRIT PETITION NO. 14050 OF 2023

Mohammad Muslim Raees Ahmad

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

552 WRIT PETITION NO. 14072 OF 2023

Marathe Sandeep Pandit

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

553 WRIT PETITION NO. 14235 OF 2023

Chapparband Fakir Ajmal Shah Shabbir Shah And Another

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

554 WRIT PETITION NO. 14507 OF 2023

Yasmeen Naeem Ahmad

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

555 WRIT PETITION NO. 14534 OF 2023

Vikas Ravindra Mahirrao

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

556 WRIT PETITION NO. 14600 OF 2023

Sheikh Arif Sheikh Aabed

VERSUS

The State Of Maharashtra Through Education And Sports Department

And Others

AND

557 WRIT PETITION NO. 14887 OF 2023

Sonam Sanjay Adhav And Others

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 1973 OF 2024

IN WP/14887/2023

Rameshwar Vitthalrao Kakade

VERSUS

Sonam Sanjay Adhav And Others

AND

558 WRIT PETITION NO. 100 OF 2024

Meenakshi Ramulu Pavilollu

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

559 WRIT PETITION NO. 101 OF 2024

Krupali Kailas Patil

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

560 WRIT PETITION NO. 176 OF 2024

Toufiq Khan Rafiq Khan

VERSUS

The State Of Maharashtra Through Education And Sports Department And Others

AND

561 WRIT PETITION NO. 319 OF 2024

Pawan Haridas Timande

VERSUS

State Of Maharashtra Through The Principal Secretary And Others

AND

562 WRIT PETITION NO. 323 OF 2024

Saleem Aziz Nalband

VERSUS

State Of Maharashtra Thr The Principal Secretary Dept. Of School Edu. And Others

AND

563 WRIT PETITION NO. 325 OF 2024

Owez Ibrahim Panhalkar

VERSUS

State Of Maharashtra Thr The Principal Secretary Dept. Of School Edu. Mumbai And Others

AND

564 WRIT PETITION NO. 326 OF 2024

Kuldeep Eknath Desale

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

565 WRIT PETITION NO. 327 OF 2024

Kiran Dipak Vyalij

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

566 WRIT PETITION NO. 328 OF 2024

Suvarna Dilip Ahire

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

567 WRIT PETITION NO. 600 OF 2024

Sumant Dattatray Ahire And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

568 WRIT PETITION NO. 602 OF 2024
Sayyad Nayab Kausar Zahid Ali
VERSUS
The State Of Maharashtra Thr The Secretary And Ors

AND

569 WRIT PETITION NO. 603 OF 2024
Mohammad Wasif Mohd Ghasi
VERSUS
The State Of Maharashtra And Others

AND

570 WRIT PETITION NO. 631 OF 2024
Shubham Sandip Bhosle
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

571 WRIT PETITION NO. 638 OF 2024
Suraj Govind Mali
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

572 WRIT PETITION NO. 642 OF 2024
Tejaswani Kiran Mahire And Others
VERSUS
The State Of Maharashtra Through The Secretary And Others

AND

573 WRIT PETITION NO. 643 OF 2024
Ramji Sikandar Pinjari And Others
VERSUS
The State Of Maharashtra Through The Secretary And Others

AND

574 WRIT PETITION NO. 644 OF 2024
Asha Bandu Sonawane And Ors
VERSUS
The State Of Maharashtra Thr The Secretary And Ors

AND

575 WRIT PETITION NO. 645 OF 2024

Rohit Subhash Chavan And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

576 WRIT PETITION NO. 646 OF 2024

Nilesh Anil Baviskar And Ors

VERSUS

The State Of Maharashtra Thr The Secretary And Ors

AND

577 WRIT PETITION NO. 648 OF 2024

Subitcha Paulmani Nadar

VERSUS

The State Of Maharashtra Thr The Secretary And Ors

AND

578 WRIT PETITION NO. 658 OF 2024

Sawkar Rahul Shantaram And Ors

VERSUS

The State Of Maharashtra Thr The Secretary And Ors

AND

579 WRIT PETITION NO. 716 OF 2024

Rajendra Yadav Ahire And Ors

VERSUS

The State Of Maharashtra Thr The Secretary And Ors

AND

580 WRIT PETITION NO. 717 OF 2024

Patil Bhushan Shantilal And Ors

VERSUS

The State Of Maharashtra Thr The Secretary And Ors

AND

581 WRIT PETITION NO. 718 OF 2024
Sachin Ganpat Chimate
VERSUS
The State Of Maharashtra Thr The Secretary And Ors

AND

582 WRIT PETITION NO. 719 OF 2024
Ramdas Bhaidas Pawara And Ors
VERSUS
The State Of Maharashtra Thr The Secretary And Ors

AND

583 WRIT PETITION NO. 720 OF 2024
Nilofer Nijmuddin Saiyad And Anr
VERSUS
The State Of Maharashtra Thr The Secretary And Ors

AND

584 WRIT PETITION NO. 721 OF 2024
Kiran Dagdu Tadvi
VERSUS
The State Of Maharashtra Thr The Secretary And Ors

AND

585 WRIT PETITION NO. 984 OF 2024
Smita Nandkishor Gaikwad And Another
VERSUS
The State Of Maharashtra Thr Its Principal Secretary And Others

AND

586 WRIT PETITION NO. 985 OF 2024
Bharatsing Goval Vasave And Others
VERSUS
The State Of Maharashtra Thr Its Principal Secretary And Others

AND

587 WRIT PETITION NO. 1246 OF 2024
Santosh Hiryanna Narute And Others
VERSUS
The State Of Maharashtra Through The Secretary And Others

AND

588 WRIT PETITION NO. 1247 OF 2024

Prajakta Suyakant Phadtare And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

589 WRIT PETITION NO. 1248 OF 2024

Darade Shreenivas Bhagwan And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

590 WRIT PETITION NO. 1250 OF 2024

Gopinath Parashram Palvi

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

591 WRIT PETITION NO. 1251 OF 2024

Priyanka Rangnath Patil

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

592 WRIT PETITION NO. 1276 OF 2024

Suraj Pushpadant Ingale

VERSUS

The State Of Maharashtra Through The Secretary And Others

WITH

CIVIL APPLICATION NO. 1330 OF 2024

IN WP/1276/2024

Suraj Pushpadant Ingale

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

593 WRIT PETITION NO. 1300 OF 2024
Mohd Sabir Abdul Wahab
VERSUS
State Of Maharashtra Through Secreary And Others

AND

594 WRIT PETITION NO. 1303 OF 2024
Shoeb Khan Ayyub Khan And Another
VERSUS
State Of Maharashtra Through Education And Sports Department And Others

AND

595 WRIT PETITION NO. 1304 OF 2024
Imran Javed Hasan Khan And Others
VERSUS
The State Of Maharashtra Through Its Education And Sports Departmnent And Others

AND

596 WRIT PETITION NO. 1305 OF 2024
Mangesh Jayadev Bhimte
VERSUS
State Of Maharashtra Through Eduction And Sports Department And Others

AND

597 WRIT PETITION NO. 1306 OF 2024
Pravinkumar Vasantrao Borkar
VERSUS
The State Of Maharashtra Through Education And Sports And Department And Others

AND

598 WRIT PETITION NO. 1307 OF 2024
Ejaz Khan Ramzan Khan
VERSUS
The State Of Maharashtra Through Education And Sports Department And Others

AND

599 WRIT PETITION NO. 1308 OF 2024

Madhuri Bhushan Bangde

VERSUS

The State Of Maharashtra Through Education And Sports And Department And Others

AND

600 WRIT PETITION NO. 1312 OF 2024

Ziyaul Haq Abdul Haq

VERSUS

State Of Maharashtra Through Secretary And Others

AND

601 WRIT PETITION NO. 1313 OF 2024

Asma Parveen Mohammad Noor

VERSUS

State Of Maharashtra Through Education And Sports Department And Others

AND

602 WRIT PETITION NO. 1314 OF 2024

Mohd Gulam Dastgir Muhammad Noor

VERSUS

State Of Maharashtra Through Education And Sports Department And Others

AND

603 WRIT PETITION NO. 1315 OF 2024

Rekha Ramdas Waghmare

VERSUS

State Of Maharashtra Through Education And Sports Department And Others

AND

604 WRIT PETITION NO. 1316 OF 2024

Rajeev Prakashrao Khirodkar

VERSUS

State Of Maharashtra Through Its Secretary And Others

AND

605 WRIT PETITION NO. 1317 OF 2024

Ujwala Manikrao Wankhede W/d Shri Vivek Raut

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

606 WRIT PETITION NO. 1319 OF 2024

Vivek Kawduji Burile

VERSUS

State Of Maharashtra Through Education And Sports Department And Others

AND

607 WRIT PETITION NO. 1320 OF 2024

Mohammad Aamir Abdul Sattar

VERSUS

State Of Maharashtra Through Education And Sports Department And Others

AND

608 WRIT PETITION NO. 1321 OF 2024

Mohammad Noor Abdul Qayyum

VERSUS

The State Of Maharashtra Through Education And Sports Department And Others

AND

609 WRIT PETITION NO. 1359 OF 2024

Nitin Shivaji Varkad And Another

VERSUS

The State Of Maharashtra Thr The Secretary, Dept. Of School Edu. And Sports And Others

AND

610 WRIT PETITION NO. 1360 OF 2024

Anuradha Vinayak Joshi

VERSUS

State Of Maharashtra Mumbai Thr Secretary And Others

AND

611 WRIT PETITION NO. 1362 OF 2024

Vahida Raju Shaikh

VERSUS

State Of Maharashtra Thr The Principal Secretary And Others

AND

612 WRIT PETITION NO. 1369 OF 2024

Dilshadbi Jamalsaheb Mugale

VERSUS

The State Of Maharashtra Thr The Secretary And Others

AND

613 WRIT PETITION NO. 1372 OF 2024

Shaikh Ahmad Shaikh Usman

VERSUS

Commissioner Maharashtra State Council Of Examination Pune And Others

AND

614 WRIT PETITION NO. 1375 OF 2024

Rangnath Ukharam Jadhav And Another

VERSUS

The State Of Maharashtra And Others

AND

615 WRIT PETITION NO. 1376 OF 2024

Santosh Sundarrao Ghule

VERSUS

The State Of Maharashtra Thr The Secretary And Others

AND

616 WRIT PETITION NO. 1412 OF 2024

Ashwini Suresh Shiledar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

617 WRIT PETITION NO. 1413 OF 2024
Bhagyashree Suresh More
VERSUS
The State Of Maharashtra Through Principal Secretary And Others

AND

618 WRIT PETITION NO. 1425 OF 2024
Rohini Madhukar Pawar
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

619 WRIT PETITION NO. 2763 OF 2024
Punam Chatrabhuj Khande
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

620 WRIT PETITION NO. 3678 OF 2024
Shah Barfiwale Bilal Khajamiya And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

621 WRIT PETITION NO. 3679 OF 2024
Shital Biru Katkar
VERSUS
The State Of Maharashtra Through The Principal Secretary And Others

AND

622 WRIT PETITION NO. 3680 OF 2024
Sujata Shahaji Patil
VERSUS
The State Of Maharashtra Through The Principal Secretary And Others

AND

623 WRIT PETITION NO. 3682 OF 2024
Pournima Harishchandra Bhoye And Ors
VERSUS
State Of Maharashtra Thr Its Secretary And Ors

AND

624 WRIT PETITION NO. 3868 OF 2024
Sagar Ramchandra Wagh
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

625 WRIT PETITION NO. 4439 OF 2024
Bhagyashri Bhagwat Pawar And Ors
VERSUS
The State Of Maharashtra Thr Its Secretary And Others

AND

626 WRIT PETITION NO. 6357 OF 2024
Raza Ullah Khan Zafar Ullah Khan
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

627 WRIT PETITION NO. 7270 OF 2024
Roshani Baburao Bhoye
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

628 WRIT PETITION NO. 7316 OF 2024
Shaikh Intekhab Aalam Mohammad Rafique And Another
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

629 WRIT PETITION NO. 7317 OF 2024
Tarannum Bano Md Ishaque Bagalkote
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

630 WRIT PETITION NO. 7318 OF 2024

Hina Tabassum Qaisar Parvez

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

631 WRIT PETITION NO. 7319 OF 2024

Aafreen Bano Ahemad Khan And Others

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

632 WRIT PETITION NO. 7320 OF 2024

Ahmed Maulaali Hippargi

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

633 WRIT PETITION NO. 7321 OF 2024

Shah Parvez Ahmed Qayyum Shah

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

634 WRIT PETITION NO. 7769 OF 2024

Vinay Bhatu Jadhav

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

635 WRIT PETITION NO. 7827 OF 2024

Syed Aadil Ayyub

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

636 WRIT PETITION NO. 7857 OF 2024
Arshad Khan Safdar Khan And Others
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

637 WRIT PETITION NO. 7858 OF 2024
Momin Mohd Jahangeer Abdul Gafoor Quazi And Others
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

638 WRIT PETITION NO. 8257 OF 2024
Israil Khan Ayyub Khan And Others
VERSUS
The State Of Maharashtra Through Its Chief Principal Secretary And Others

AND

639 WRIT PETITION NO. 8459 OF 2024
Mohd. Javeed Iqbal Hussain
VERSUS
The State Of Maharashtra And Others

AND

640 WRIT PETITION NO. 8776 OF 2024
Shafeeque Ashraf Ali Chaugale And Others
VERSUS
State Of Maharashtra Through Its Secretary And Others

AND

641 WRIT PETITION NO. 9243 OF 2024
Mohammad Danish Mohammad Shakeel And Another
VERSUS
The State Of Maharashtra Through Secretary And Others

AND

642 WRIT PETITION NO. 9624 OF 2024

Sunanda Sukhdeo Shinde Alias Sunita Bhaskar Jejurikar And Others

VERSUS

The State Of Maharashtra And Others

WITH

WRIT PETITION NO. 9630 OF 2024

Uzma Sadaf Zainuddin Shaikh And Others

VERSUS

The State Of Maharashtra And Others

WITH

WRIT PETITION NO. 9626 OF 2024

Vaishali Dhanaji Deore W/o Yogesh Y. Patil

VERSUS

The State Of Maharashtra And Others

WITH

WRIT PETITION NO. 9627 OF 2024

Shital Kailas Jadhav And Others

VERSUS

The State Of Maharashtra And Another

WITH

WRIT PETITION NO. 9628 OF 2024

Tejaswini Narayan Bahiram And Others

VERSUS

The State Of Maharashtra And Others

WITH

WRIT PETITION NO. 9631 OF 2024

Vidya Shantaram Kapadnis And Others

VERSUS

The State Of Maharashtra And Others

WITH

WRIT PETITION NO. 9625 OF 2024

Archana Dadaji Borse And Others

VERSUS

The State Of Maharashtra And Others

WITH

WRIT PETITION NO. 9629 OF 2024

Chaitali Popat Sasane And Another

VERSUS

The State Of Maharashtra And Others

AND

643 WRIT PETITION NO. 9676 OF 2024
Hina Kausar Mohammad Riyaz
VERSUS
The State Of Maharashtra Through Its Chief Principal Secretary And Others

AND

644 WRIT PETITION NO. 9677 OF 2024
Farooque Shah Latif Shah And Others
VERSUS
The State Of Maharashtra Through Its Chief Principal Secretary And Others

AND

645 WRIT PETITION NO. 9716 OF 2024
Digvijay Dattatray Inamdar
VERSUS
The State Of Maharashtra And Others

AND

646 WRIT PETITION NO. 10509 OF 2024
Lalita Umedrao Chavan Alias Lalita Dattatray Pingale
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

647 WRIT PETITION NO. 10512 OF 2024
Vijay Devidas Bagul
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

648 WRIT PETITION NO. 10514 OF 2024
Dipali Gorakhrao Sonawane
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

649 WRIT PETITION NO. 10731 OF 2024

Aakash Dattatrya Koparkar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

650 WRIT PETITION NO. 10834 OF 2024

Ganesh Satish Shete

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

651 WRIT PETITION NO. 10865 OF 2024

Harshada Magan Mote

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

652 WRIT PETITION NO. 10883 OF 2024

Sheetal Sukram Pawara

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

653 WRIT PETITION NO. 11146 OF 2024

Ashwini Sahebrao Samindre

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

654 WRIT PETITION NO. 11147 OF 2024

Sushila Sada Chaure And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

655 WRIT PETITION NO. 11564 OF 2024

Radha Bhatu Bhalkar

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

656 WRIT PETITION NO. 12562 OF 2024

Sandip Kutrya Kokani

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Another

AND

657 WRIT PETITION NO. 12563 OF 2024

Shailendra Hiraman Kokani

VERSUS

The State Of Maharashtra Its Principal Secretary And Another

AND

658 WRIT PETITION NO. 12565 OF 2024

Anil Raju Kokani

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Another

AND

659 WRIT PETITION NO. 12613 OF 2024

Vilsan Vikram Kokani

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Another

AND

660 WRIT PETITION NO. 12614 OF 2024

Nilesh Jalamsing Gavit

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Another

AND

661 WRIT PETITION NO. 12808 OF 2024

Manoj Aanaji Gawali And Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

AND

662 WRIT PETITION NO. 1700 OF 2025

Prafulla Suklal Kokani

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Another

AND

663 WRIT PETITION NO. 2038 OF 2025

Mirza Sameer Baig Mirza Altaf Baig

VERSUS

State Of Maharashtra Thr Education And Sports And Anr

AND

664 WRIT PETITION NO. 2039 OF 2025

Seema Motilal Kadave

VERSUS

State Of Maharashtra Thr Education And Sports And Ors

AND

665 WRIT PETITION NO. 2040 OF 2025

Vikas Sudhir Wankhede

VERSUS

The State Of Maharashtra And Others

AND

666 WRIT PETITION NO. 2041 OF 2025

Chetan Vijayrao Bijawe And Anr

VERSUS

State Of Maharashtra Thr Education And Sports Dept. And Ors

AND

667 WRIT PETITION NO. 2042 OF 2025

Ku. Dipali Samadhan Dawange

VERSUS

The Education Officer (secondary) Z.p. Buldana And Ors

AND

668 WRIT PETITION NO. 2043 OF 2025

Vikrant Sanjay Khanderao
VERSUS
The Education Officer (secondary) Buldan And Ors

AND

669 WRIT PETITION NO. 2044 OF 2025
Ku. Tejaswini Bhushanrao Bangde
VERSUS
State Of Maharashtra Thr Its Secretary Department Of Education And Sports And Ors

AND

670 WRIT PETITION NO. 2045 OF 2025
Durga Narayanrao Hore
VERSUS
State Of Maharashtra Thr Education And Sports And Ors

AND

671 WRIT PETITION NO. 2046 OF 2025
Ku. Monika Amardip Kharkar
VERSUS
State Of Maharashtra Thr Education And Sports And Ors

AND

672 WRIT PETITION NO. 2047 OF 2025
Mahesh Nanaji Karemore
VERSUS
State Of Maharashtra Thr Education And Sports And Ors

AND

673 WRIT PETITION NO. 2219 OF 2025
Vilas Pandit Gavit
VERSUS
The State Of Maharashtra And Others

AND

674 WRIT PETITION NO. 2271 OF 2025
Rani Sudam Gosavi Alias Pratibha Makarand Gosavi
VERSUS
The State Of Maharashtra And Another

AND

675 WRIT PETITION NO. 3024 OF 2025

Arshee Anjum Mohd Wiqar Shaikh

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

676 WRIT PETITION NO. 3197 OF 2025

Harichandra Barku Chaudhari And Others

VERSUS

The State Of Maharashtra Through Its Chief Principal Secretary And Others

AND

677 WRIT PETITION NO. 5608 OF 2025

Punam Panditrao Patil

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Another

AND

678 WRIT PETITION NO. 8915 OF 2025

Heena Kausar Abdul Sattar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

WITH

WRIT PETITION NO. 8598 OF 2025

Kavita Nana Thakur Alias Dhanshree Kailas Thakur

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Another

WITH

WRIT PETITION NO. 8913 OF 2025

Nupur Madhukar Deshmukh

VERSUS

The State Of Maharashtra Through Its Secretarya Nd Others

AND

679 WRIT PETITION NO. 9339 OF 2025
Sangita Pandurang Pawara Alias Sangita Makansin Pawara
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

680 WRIT PETITION NO. 1805 OF 2026
Archana Vinayak Patil
VERSUS
The State Of Maharashtra And Others

AND

681 WRIT PETITION NO. 1813 OF 2026
Nana Uttam Karande
VERSUS
The State Of Maharashtra And Others

AND

682 WRIT PETITION NO. 9431 OF 2026
Uzma Nahid Abdul Sattar Shaikh
VERSUS
The State Of Maharashtra Thr Its Secretry And Others

AND

683 WRIT PETITION NO. 9816 OF 2026
Anil Arvind Valvi And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others`

AND

685 WRIT PETITION NO. 11707 OF 2026
Aasiyabano Ghulamdastageer Ansari And Another
VERSUS
The State Of Maharashtra Thr Secretary And Others

AND

686 WRIT PETITION NO. 11961 OF 2026
Laxman Sakharam Gavit And Others
VERSUS
The State Of Maharashtra Through Its Chief Principal Secretary And

Others

AND

687 WRIT PETITION NO. 913 OF 2024

Ilyas Khan Nisar Khan Sikkalgar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

688 WRIT PETITION NO. 11102 OF 2024

Vijaya Dilip Patil

VERSUS

The State Of Maharashtra Through Secretary And Others

AND

689 WRIT PETITION NO. 9304 OF 2025

Waahid Shah Gulab Shab

VERSUS

The State Of Maharashtra And Others

AND

690 WRIT PETITION NO. 10265 OF 2025

Atiya Kausar Shaikh Usmangani Khatik

VERSUS

The State Of Maharashtra And Others

AND

691 WRIT PETITION NO. 10735 OF 2025

Shaikh Afser Yunus

VERSUS

The State Of Maharashtra And Others

AND

692 WRIT PETITION NO. 100 OF 2023

Hemant Somnath Thakare And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

AND

693 WRIT PETITION NO. 101 OF 2023
Parag Shaligaram Chaudhari And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

694 WRIT PETITION NO. 102 OF 2023
Vaishali Dadaso Shevate And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others
WITH
CIVIL APPLICATION NO. 6123 OF 2024
IN WP/102/2023
Nirmala Santosh Ghule
VERSUS
The State Of Maharashtra Through The Secretary And Others

AND

695 WRIT PETITION NO. 104 OF 2023
Sagar Mohan Rajbhoj And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

696 WRIT PETITION NO. 5439 OF 2023
Sachin Suresh Badole And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

697 WRIT PETITION NO. 10923 OF 2023
Jyoti Ashok Shirsat And Others
VERSUS
The State Of Maharashtra Through Its Principal Secretary And Others

AND

698 WRIT PETITION NO. 9872 OF 2022
Tanveer Shah Tafazzul Shah
VERSUS
The State Of Maharashtra Through Its Secretary And Others

AND

699 WRIT PETITION NO. 11714 OF 2022

Shivkanta Murlidhar Biradar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

700 WRIT PETITION NO. 14113 OF 2023

Shaikh Tanveer Shaikh Habeeb

VERSUS

The State Of Maharashtra Through Its Secretary And Others

AND

701 WRIT PETITION NO. 62 OF 2026

Asma Ramzan Pathan And Others

VERSUS

The State Of Maharashtra And Others

Appearance :-

Advocate for the Petitioners :-

Mr. V. D. Sapkal, Senior Advocate, i/by Adv. S. R. Sapkal and Adv. Priyanka Kale and Atharva D. Khedkar,

Mr. Narendra V. Bandiwadekar, Senior Advocate i/by Adv. Ashwini Navjyot Bandiwadekar,

Mr. Suresh S. Pakale, Senior Advocate i/by Ms. Malgaonkar Padmaja U., Mr. Shinde Rahul Ashok, and Mr. Shankar M. Katkar,

Mr. Rajendrraa Deshmukkh, Senior Advocate i/by Adv. Kunal Arvind Kale,

Adv. A. M. Inamdar, Adv. A. R. Syed, Adv. Arvind Gopalrao Ambetkar, Adv. Ateeque Mohd., Adv. Pralhad D. Bachate, Adv. K. D. Bade Patil, Adv. D. S. Bagul, Adv. Harish S. Bali, Adv. Parag Vijay Barde, Adv. Prashant S. Bhavake, Adv. Mahesh S. Bhosale, Adv. Sidheshwar N. Biradar, Adv. Yogesh B. Bolkar, Adv. Shailesh P. Brahme, Adv. Chetan G. Patil, Adv. Balaji S. Chondhekar, Adv. Ajit B. Chormal, Adv. D. J. Choudhary, Adv. Digvijay R. Khapre, Adv. Pushkar A. Deshpande, Adv. Deepak Sathe, Adv. Sanjeev Bapu Deore, Adv. Abhay G. Deshmukh, Adv. S. S. Deshpande, Adv. Sachin Deshpande, Adv. Vivek J. Dhage, Adv. Dhananjay Rananaware, Adv. R. B. Dhore, Adv. Vithal H. Dighe,

Adv. Sushant V. Dixit, Adv. R. J. Godbole, Adv. G. J. Pahilwan, Adv. Ganesh Asaram Gadhe, Adv. Shahaji B. Ghatol Patil, Adv. Girish S. Rane, Adv. Ravi Balasaheb Gite, Adv. Bhaskar Parmeshwar Gonare, Adv. Nikita N. Gore, Adv. Nitin S. Ingle, Adv. Kailas B. Jadhav, Adv. Samadhan H. Jadhav, Adv. Rakesh Nemichandji Jain, Adv. Vishal S. Kadam a/w. Ms. Pratiksha C. Kale, Adv. N. B. Kalwaghe, Adv. D. A. Karnik, Adv. Ram D. Karode, Adv. Shankar M. Katkar, Adv. Shrirang Katneshwarkar, Adv. Kazi S. S., Adv. Sabahat T. Kazi, Adv. Shrimant Ravsaheb Kedar, Adv. Sameer Khan, Adv. Akshay D. Khot, Adv. Pundlik S. Kochar, Adv. S. R. Kolhare, Adv. Sanjay Ramlal Kolhare, Adv. Sanjay D. Kotkar, Adv. Gajanan K. Kshirsagar, Adv. Mukul S. Kulkarni, Adv. Suvidh S. Kulkarni, Adv. Mandar G. Bagkar, Adv. Lalitkumar S. Mahajan, Adv. Surekha P. Mahajan, Adv. Padmaja U. Malgaonkar, Adv. Bhooshan R. Mandalik, Adv. Irfan D. Maniyar, Adv. Khushbu Ghanashyam Marwadi, Adv. Umesh G. Mitkari, Adv. Ankush N. Nagargoje, Adv. Girish K. Naik Thigle, Adv. Ramesh Vitthal Naiknavare, Adv. P. S. Kshirsagar, Adv. Vilas S. Panpatte, Adv. Vishalkumar S. Pardeshi, Adv. Paresh B. Patil (Borse), Adv. Jitendra Vijay Patil, Adv. Prafullasing H. Patil, Adv. Prakashsing B. Patil, Adv. Rohit Nitin Patil, Adv. Vikram Tanajirao Patil, Adv. Vinod Prakash Patil, Adv. Pavan K. Raulkar, Adv. Ajay D. Pawar, Adv. Aniket Bhausaheb Pawar, Adv. Vaibhav U. Pawar, Adv. Rahul R. Shelke, Adv. Ritu P. Jog, Adv. Sachin B. Thorat, Adv. Amarnath S. Sakhare, Adv. Vitthal G. Salgare, Adv. Mahendra N. Sandhyanshiv, Adv. D. V. Sapkal, Adv. Sandip R. Sapkal, Adv. Majit S. Shaikh, Adv. Shivaji T. Shelke, Adv. P. N. Shende, Adv. Rahul Ashok Shinde, Adv. Shrikrashna B. Solanke, Adv. Rahul Rajendra Suryawanshi, Adv. Rajendra R. Suryawanshi, Adv. Azizoddin R. Syed, Adv. G. R. Syed, Mr. Yadnesh V. Dharmadhikari h/f. Adv. Ajay G. Talhar, Adv. Vikas B. Tapkir, Adv. Sagar Tembekar, Adv. Vedika Thakare, Adv. Dhananjay B. Thoke, Adv. Sambhaji Subhashrao Tope, Adv. Manish Purushottam Tripathi, Adv. Tukaram M. Venjane, Adv. Vinod P. Sangvikar, Adv. Vishnu B. Madan, Adv. Ramesh I. Wakade, Adv. Vijay Shivaji Wakale, Adv. S. S. Wankhede, Adv. Yogesh C. Patil.

Advocate for the Respondents :-

Adv. Anup R. Nikam for Commissioner, Maharashtra State Examination Council, Pune, Adv. Abhijeet V. Thombre, Adv. Ashok Janrao, Adv. Bhaskar Parmeshwar Gonare, Adv. B. S. Deshmukh, Adv. Dnyaneshwar Suresh Bagul, Adv. Rahul Bhagawantrao Bagul, Adv. Mirza Mazhar Javed Baig, Adv. Ravi Raosaheb Bangar, Adv. Bhausaheb B. Bhise, Adv. Pravin Dilip Biradar, Adv. Yogesh G. Birajdar, Adv. Poonam V. Bodke Patil, Adv. Yogesh B. Bolkar, Adv. Uttam Bajirao Bondar, Adv. Rupeshkumar C. Bora, Adv. Rakesh C. Bramhankar, Adv. Vaishali S. Chaudhari, Adv. Ashish R. Dand, Adv. Rajendra V. Dasalkar, Adv. Bhausaheb S. Deshmukh, Adv. Mahesh S. Deshmukh, Adv. Vaibhav G. Deshmukh, Adv. Vijay Vasantrao Deshmukh, Adv. Sadashiv N. Deve, Adv. Sadanand Sadashiv Deve, Adv. Shantaram Ravji Dheple, Adv. Ranjit D. Gaikwad h/f. Adv. Dilip Bodake, Adv. R. J. Godbole, Adv. Kamaloddin Nuruddin Farooqui, Adv. Luqmaan Kaseem Farooqui, Adv. Pramod S. Gaikwad, Adv. Praveen B. Gamot, Adv. Aniruddha B. Ghule, Adv. Girish S. Rane, Adv. Umesh Babanrao Gite, Adv. Madhur A. Golegaonkar, Adv. Vivekanand Vishwambhar Gujar, Adv. Subhas V. Gutte, Adv. Adinath B. Jagtap, Adv. Akshay Subhash Jagtap, Adv. Manjusha S. Jagtap, Adv. Rakesh Nemichandji Jain, Adv. Dhiraj R. Jethliya, Adv. Sandeep Chandreshakhar Joshi, Adv. Nitin Shamrao Kadam for Zilla Parishad, Nanded, Adv. Y. M. Khan, Adv. Abhinay D. Khot, Adv. Amol Ashok Kokad, Adv. Pratik P. Kothari, Adv. Bhushan B. Kulkarni, Adv. Girish N. Kulkarni (Mardikar), Adv. Mukul S. Kulkarni, Adv. S. S. Kulkarni, Adv. Supriya Kulkarni, Adv. Sachin Vijay Kuptekar, Adv. Manjushri V. Narwade, Adv. Datta A. Madake, Adv. Lalitkumar S. Mahajan, Adv. Milind S. Mahajan, Adv. Sunil B. Jadhav, Adv. Uday S. Malte, Adv. Satish S. Manale, Adv. V. M. Maney, Adv. Vivek J. Dhage, Adv. Irfan D. Maniyar, Adv. Sachin B. Munde, Adv. Kartik D. Mundhe, Adv. Nikhil S. Tekale, Adv. Ankush N. Nagargoje, Adv. Prashant R. Nangare, Adv. Sharad V. Natu, Adv. Ramchandra J. Nirmal, Adv. Prashant D. Suryawanshi, Adv. Vilas S. Panpatte, Adv. Amol N. Patale, Adv. Azaroddin Chandpasha Pathan, Adv. Hanmant V. Patil, Adv. Jitendra Vijay Patil, Adv. Nayana P. Patil, Adv. Pravin Shamrao Patil, Adv. Swapnil S. Patil, Adv. Ajay D. Pawar, Adv. Pravin N. Kalani, Adv. Santosh Baburao Pulkundwar, Adv. S. R. Yadav-Lonikar, Adv. S. S.

Randive, Adv. Ashwin V. Sakolkar, Adv. Milind B. Sandanshiv, Adv. Amol Shivajirao Sawant, Adv. U. A. Sayyed, Adv. Umair Pasha A. Quader Sayyed, Adv. Jayant Ramanlal Shah, Adv. Shahaji K. Shinde, Adv. Nasimoddin R. Shaikh, Adv. Tarek Mobin H. Shaikh, Adv. Avishkar S. Shelke, Adv. Bhagwat Achutrao Shinde, Adv. Kishor T. Shirrurkar, Adv. Shrishail Sakhare, Adv. Aditya N. Sikchi, Adv. V. R. Patil, Adv. Maheshkumar S. Sonawane, Adv. Sunil S. Shinde, Adv. Gauri Shelke, Adv. Prashant V. Suryawanshi, Adv. Masood Chand Syed, Adv. Ajay G. Talhar, Adv. Pradeepkumar R. Tandale, Adv. Bhagwan V. Thombre, Adv. Yogita S. Thorat, Adv. Sushilkumar H. Tripathi, Adv. Hrishikesh V. Tungar, Adv. Dinesh L. Vakil, Adv. Laharimanohar D. Vakil, Adv. Vikrant S. Valse, Adv. Vinod M. Vibhute, Adv. Pratap B. Vikhe, Adv. Vivek Vasantrao Bhavthankar, Adv. Shrinivas S. Wagh, Adv. Santosh R. Yadav, Adv. S. R. Yamani, Adv. Roshan S. Sawant, Adv. Monish R. Ghavri.

Advocate/AGP's for the Respondent - State :-
Mr. V. D. Hon, Senior Advocate i/by Mr. P. S. Patil, Addl.GP., Mr. P. K. Lakhotiya, Mr. S. B. Pulkundwar, Mr. R. S. Wani, Mr. S. R. Yadav-Lonikar, Mr. K. N. Lokhande, Mr. N. S. Tekale, AGPs

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CORAM : KISHORE C. SANT &
JITENDRA JAIN, JJ.

RESERVED ON : 22nd SEPTEMBER, 2026

PRONOUNCED ON : 30th SEPTEMBER, 2026

JUDGMENT :- *(Per - Jitendra Jain, J.)*

1. **Rule**. Rule made returnable forthwith. By consent taken up for final hearing. This group of matters is transferred from the Principal Seat and other Benches of this Court to the Aurangabad Bench since all the petitions raises common challenge. The notice of

hearing of these petitions was circulated to all the Benches so that all counsel can be heard.

2. This petition relates to cancellation of results of the petitioners, who appeared for the Teachers Eligibility Test (TET), which is mandatory for teaching students of Standards I to VIII. The results were cancelled on account of malpractices whereby the mark-sheets of the candidates were altered by recording marks higher than the marks actually obtained. For example, if A has secured 40 marks, the mark sheet was altered to show that A has secured 60 marks. Before we proceed, it is important to narrate the role of a teacher in the life of a student and more particularly that of a teacher teaching primary school students.

Role of a Teacher :-

3. Former President (Late) *Dr. A.P.J. Abdul Kalam* observed: "***The purpose of education is to make good human beings with skill and expertise... Enlightened human beings can be created by teachers.***" *Mustafa Kemal Atatürk* said: "***A good teacher is like a candle—it consumes itself to light the way for others.***"

4. It is said that it takes a big heart to help shape little minds. A teacher does not simply teach but inspires and changes the lives of future generations. The role of a teacher is significant and critical in

training the young minds of students to think critically. Teachers are one of the foundational pillars of the society. They play important role to shape not just young minds but also future citizens by imparting knowledge, fostering critical thinking, instilling discipline and integrity, encouraging curiosity, and acting as role models and guides.

5. This great country is blessed with teachers like Mr. *Jeevan Mithari* who treks 5 km to reach a place – Kavaltek Dhangarwada, where only 3 families stay and in which there are only 2 girl students. It is the zeal and the spirit of such a teacher for training the young minds and future generation of this country that we are fortunate to have such teachers even in an environment full of material competition.

6. We appreciate the efforts put in by the teachers of this Country by teaching and training not only the young minds but at times are entrusted with many non-teaching jobs like deployment during election period, census etc. We are also conscious of the fact that in rural areas it is a challenging task for a teacher to teach with the limited infrastructure and resources of the school. Despite of such challenges, the teachers of this country render a great service by discharging their duties tirelessly with love and affection. We take

this opportunity to pay our respects to such teachers of this country.

7. We are perturbed by the issues raised in these petitions which we are called upon to adjudicate since it deals with tampering of marks of exams meant for teachers.

Challenge Raised :-

8. This group of writ petitions is filed by petitioners who are either teaching in primary or secondary schools or are lecturers in junior colleges or are teachers in schools managed by minority institutions and by individuals aspiring to take up a job as teacher for teaching students of Standards I to VIII. Some of the petitioners, though not in service as teachers, but aspiring to be teachers appeared for the exam since TET exam is made compulsory for teaching students of Standards I to VIII The challenge is to the orders dated 10 June 2022, 3 August 2022, 18 August 2022 and 14 October 2022 leading to freezing of Shalarth ID, withholding of salaries etc., consequent to the results of around 7,874 candidates who appeared for Teachers Eligibility Test (TET – 2019) held on 19 January 2020 which included present petitioners, were cancelled and these candidates were permanently debarred from appearing in the said exams. The malpractices were found in exams of TET – 2018 and TET – 2019. For the sake of convenience and by consent of all the

parties Writ Petition No.9430 of 2022 is taken as a lead matter. Pleadings filed in this petition was agreed to be the basis for deciding all these petitions.

Brief Facts :-

9. By Government Resolution dated 23 August 2013, respondent no.1-State made TET exams to be compulsorily to be cleared by individuals for appointment of teachers for teaching in Standard I to VIII, pursuant to Right of Children to Free and Compulsory Education Act, 2009 (RTE). The responsibility to conduct the exam was entrusted under this GR to respondent no. 3 and 4 – Council.

10. The above condition of clearing compulsory TET examination was unsuccessfully challenged before this Court and later on before the Apex Court.

11. On 7 November 2019, Council issued advertisement for conducting online TET – 2019 exam. The process of filling up application forms, allotment of seat number, declaration of result, etc. was entirely online. The process of conducting the test was outsourced to one G. A. Software Company. Pursuant to the said advertisement, petitioners appeared for exam which was conducted on 19 January 2020 and which coincided with the pandemic leading

to ultimate lock-down of the World and in India from 20 March 2020. The exam paper was in the form of multiple-choice questions (MCQ). Carbon-copy of the answer sheet attempted was retained by the candidates. Original copy was taken by the authority conducting the exam and this copy was scanned and retained by the Council. The candidates were later on furnished with model answers also. The results of the test came to be declared online in August 2020 and 16,705 candidates out of more than 3,00,000 who appeared were declared to have cleared the said test.

12. On 16 December 2021, respondent no.3-Chairman of the Council lodged an FIR No. 56/2021 with regard to malpractices practiced during the above exam which got surfaced while investigation was being conducted by the police authorities with regard to MHADA exam scam. In the said FIR, name of Mr. Pritesh Deshmukh of G. A. Software and some officials of the Council figured as being involved in the malpractices of altering the mark sheets. This FIR was filed after continuous communications between the police and the Council since the TET exam scam surfaced during ongoing investigation of MHADA exams by the police authorities. The mark-sheets of around 7,880 candidates came to be altered as per the said FIR.

13. Similarly, during the investigation with regard to the MHADA examination, police authorities also got information of tampering of marks with regard to the TET examination conducted in the year 2018. In the 2018 TET examination, 17,349 candidates appeared. 9,677 candidates cleared the examination, and it was found out that around 1,700 mark-sheets were tampered with. Respondent authorities, therefore, filed an FIR with the police authorities bearing No. 58 of 2021.

14. On 10 June 2022, respondent -State addressed a letter to the respondent - Council directing to hold an enquiry and complete the same within 60 days. In the said letter, it is also stated that results of 7,874 candidates out of successful 16,705 candidates were found to be tampered in the TET 2019 exam. This letter also directs the Council to levy appropriate penalty including permanently debarring such individuals from appearing for the exam, to freeze Shalarth IDs and salaries of such teachers and to direct employers to take appropriate action due enquiry against the in-service teachers.

15. On 3 August 2022, respondent - Council after conducting investigation passed impugned order holding that results of 7880 candidates were found to have been tampered with and these candidates though failed were declared as passed or marks were

increased. The order further states that in the absence of Executive Committee, powers are being exercised by the Council. The order debars 7,880 candidates permanently from appearing for the said exam. Similar order was passed on 14 October 2022 in respect of about 1,700 candidates who appeared for TET – 2018 exam.

16. It is on the above backdrop that the present petitions are instituted across the State before the Principal and other benches of this Court challenging the cancellation of the petitioners' results of TET – 2018 and TET – 2019 exams and permanently debarring them from appearing for examination and further freezing their Shalarth ID and their salaries. This Court by way of interim relief in lead petition on 20 September 2022 directed the services of the petitioners to be continued and also ordered salaries to be paid. We are informed that similar interim orders were passed in other petitions also.

Brief submissions of Mr. Sapkal, Senior Counsel in Writ Petition No.9430 of 2022 :-

17. Mr. Sapkal, learned senior counsel opening for the petitioners submitted that before imposing a permanent bar on the petitioners to appear for exams, principle of natural justice was not followed. No show-cause notice was issued to the petitioners before levying such a harsh penalty nor any opportunity of hearing was

accorded. He, therefore, submitted that on this ground itself, the impugned orders should be set aside and quashed. He further submitted that the Maharashtra State Council of Examination Duties and Powers of Chairperson, Regional Chairperson, Assistant Commissioner and Conditions of Service of Employees Regulations, 2010 (2010 Regulations) does not empower the Commissioner to impose such a penalty nor such a harsh penalty is provided for in the Regulations. It is his submission that if the statute provides for a particular authority to act, then it is that very authority who should exercise the power and not any superior authority. He further submitted that it is an admitted fact that the original records have been destroyed and if that be so, then the present proceedings have been initiated at the behest of the police authorities and the State and not by the concerned authorities who were forced to act under the Act. He submits that the impugned order is based on suspicion and surmises and no charge-sheet has been filed against any of the petitioners. He submitted that there is no material for cancellation of result and imposing such a penalty.

18. Learned senior counsel relied upon Regulations 8, 11 and 13 of Part II Chapter V of the 2010 Regulations in support of his submission that the present orders are passed without jurisdiction

and, therefore, are required to be quashed and set aside since Examination Committee has not passed the impugned orders.

19. He further submitted that the present order is made applicable even to the candidates of Minority Institutions, Junior Lecturers and Teachers of Standard IX and X class and who only appeared for examination for better prospects. He submitted that the said test was not required for these petitioners and, therefore, the impugned orders passed against them are bad in law. He also submitted that in the meantime many of the petitioners have qualified by clearing CTET exam equivalent to TET but the penalty imposed may come in their way to continue in service.

20. Learned senior counsel relied upon following decisions in support of his above submissions :-

i) Chandrika Jha vs. State of Bihar & Ors.[1]

ii) Vijay Singh vs. State of U.P. & Ors.[2]

iii) The Joint Action Committee of Airlines Pilots Associations of India & Ors. vs. The Director General of Civil Aviation & Ors.[3]

21. He, therefore, prayed for quashing of the impugned orders by allowing the petition.

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1 AIR 1984 SC 322
2 AIR 2012 SC 2840
3 AIR 2011 SC 2220

Summary of written submissions filed by learned counsel Mr. Vilas Panpatte on behalf of petitioners in Writ Petition No.9582 of 2022 & other petitions and who later on also addressed the Court :-

22. Mr. Panpatte, learned counsel for the petitioners in Writ Petition No.9582 of 2022 submitted that the petitioners have completed more than 12 years of service from the date of their appointment and have successfully completed probation period and have been granted the status of permanent employees under the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 (MEPS Act). It is his submission that if today their names are not included in Shalarth ID and they are made to work without payment, then it will result into unemployment and would be contrary to Articles 14, 19 and 21 of the Constitution of India. He submitted that as per Section 23 read with Rule 19(2) of the Right to Education Rules, 9 chances are given for acquiring additional qualification of TET.

23. He further submitted that petitioners are being penalised for no fault of theirs. He further submitted that any order passed contrary to principles of natural justice are illegal and bad in law and in any case the punishment cannot be disproportionate. He submitted that time and again, the Hon'ble Supreme Court has protected the services of the teachers who have been working for a long period and

has further time has been given for clearing TET exam. This would also ensure continuity in elementary education of children. He submitted that the petitioners have not been named in the FIR nor any statement is recorded nor any kind of inquiry has been made which will implicate the petitioners in the alleged malpractices.

24. Alternatively, he submitted that the impugned performance of the petitioners should be discarded and an opportunity should be given to appear for the TET exam in future. He submitted that if the petitions are not allowed then many schools would be closed for want of teachers and the teachers would become unemployed, though having served for more than 12 years. He also submitted that condition of TET exam is not applicable to minority institution.

25. Mr. Panpatte, learned counsel relied upon following decisions in support his above submissions :-

(a) Dr. M. S. Mudhol & Anr. vs. Shri S. D. Halegkar & Ors.[4]

(b)Pandurang Narayan Kanekar vs. State of Maharashtra & Ors.[5]

(c) B. C. Chaturvedi vs. Union of India & Ors.[6]

(d) Nidhi Kaim vs. State of Madhya Pradesh & Ors.[7]

(e) State of U.P. vs. Anjuman Ishaat-E-Taleem Trust & Ors.[8]

4 1993 II CLR 389
5 2022 (3) Mh.L.J.687
6 AIR 1996 SC 484
7 (2016) 7 SCC 615
8 Review Petition No.53434 of 2025 dated 29.05.2026

26. In view of above, he submitted that the petition may be allowed in terms of prayer clauses mentioned in the petitions.

Submission of Mr. Bandiwadekar, Senior Counsel in Writ Petition No. 209 of 2023 & others :-

27. Mr. Bandiwadekar, learned senior counsel submitted that in the impugned order dated 3 August 2022, reference has been made to 11 documents which were never confronted with to the petitioners before passing the impugned order. He submitted that the impugned order has been passed without complying with the basic principles of natural justice. Out of 11 documents referred to in the impugned order, documents at item nos. 3 to 11 are annexed with the reply of the contesting respondent no. 2. The petitioners, therefore, amended the petition to challenge the resolution referred to in the impugned order, which formed the basis for passing the impugned order.

28. Learned senior counsel further submitted that none of the candidates / petitioners has been made accused or witness nor has any inquiry made from them in the criminal proceedings referred to in paragraph no. 1 of the impugned order. He submitted that out of more than 3,00,000 candidates who had appeared, there were 7,880 candidates against whom complaints were made. Verification of papers was done only in respect of these 7,880 candidates and all of

them have been declared unsuccessful. He submitted that the impugned order is passed without due application of mind, since it has been passed without referring to the correct legal provisions. There is a reference to Section 8 Chapter V of the Maharashtra State Council of Examinations Act 1998 (1998 Act), whereas no such reference can be found in the said Act and can only be found in 2010 Regulation, indicating clear non-application of mind by the authorities.

29. Learned senior counsel, thereafter, referred to certain provisions of the 1998 Act and submitted that as per Section 18, the State Council shall constitute various committees, namely, Academic Committee, Executive Committee, Finance Committee and Examination Committee. Referring to Section 23 of the said Act, he submitted that powers and duties of the State Council includes power to conduct examination and to award certificates to candidates passing various examinations and to make regulations for purpose of carrying into effect the provisions of the 1998 Act. He further referred to Section 37 which empowers the State Council to make regulations. He submitted that none of the provisions of the 1998 Act empower the State Council to cancel the examination result and to impose penalty.

30. Learned senior counsel, thereafter, referred to the Maharashtra Prevention of Malpractices at University, Board and Other Specified Examination Act, 1982 which is referred in the impugned order dated 3 August 2022. He submitted that TET examination is not notified as examination under Section 2(b) of the said Act. He further made reference to Sections 7 and 8 of the aforesaid Act which provides for punishment only on conviction. He submitted that in the present case, no criminal proceedings are initiated against the petitioner and, therefore, reliance on these provisions in the impugned order is illegal.

31. Learned senior counsel, thereafter, referred to 2010 Regulations and more particularly, Chapter V of Part II which deals with the duties and powers of Chairperson, Commissioner, Regional Chairperson, Assistant Commissioner and Working Committees Regulations. He referred to Chapter V which deals with committees of the State Council. As per regulation 8(2) of said Chapter V, duties and functions of the Executive Committee are prescribed. Sub-clause (t) of the said Regulation provides for laying down the procedure and specifying the penalties to be imposed by the State Council. He submitted that no such procedure has been laid, neither has the penalty been specified. He further submitted that even this

Regulation only provides for laying down the procedure and specifying the penalty and not to cancel the examination and impose the penalty. Learned senior counsel submitted that in the absence of any procedure being laid down and specifying the penalty by the Executive Committee, the impugned orders permanently debarring the petitioners from appearing in examination is without jurisdiction.

32. Learned senior counsel, thereafter, brought to our attention letter dated 8 February 2022 of the Council wherein the Expert Committee of 6 members was formed for examining the results of these 7,880 candidates. He submitted that the committee gave its report on 14 February 2022, within 6 days, stating that the results of 7,880 candidates are tainted. The report further states that the verification was done by the clerk. He, therefore, submitted that the expert committee has merely signed the report without verifying and, therefore, it has no evidentiary value. He submitted that clerks would not have any expertise on the questions and answers which are required to be verified and, therefore, the report prepared on the basis of the verification done by such clerks has to be discarded.

33. Learned senior counsel further submitted that time and again the State directed the Council to lay down a procedure and, thereafter, take action for levying penalty. However, by resolution

dated 24 June 2022 straightaway it was resolved to cancel the performance of these candidates and permanently debars them from appearing in the examinations. He submitted that the impugned orders are passed contrary to the directions of the State which is not in conformity with the powers of the Executive committee to lay down the procedure and specifying the penalty. In the absence of any procedure or penalty specified therein, the impugned orders are bad in law.

34. Learned senior counsel relied upon the decision of 5 Judge Bench of the Hon'ble Supreme Court in the case of ***Board of High School and Intermediate Education U.P. Allahabad V. Ghanshyam Das Gupta and others***[9] and submitted that the Hon'ble Supreme Court was concerned with similar provisions under the U.P. Act and was dealing with the cancellation of results and debarment of the candidates from appearing in the examination. The Hon'ble Supreme Court held that such an order without following the principles of natural justice is bad in law. He submitted, by relying on this decision, that the impugned orders insofar as it cancels the performance of the petitioners and also permanently debars, is contrary to the said decision and, therefore, has to be quashed and set aside.

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9 1962 SCC OnLine SC 94

35. Learned senior counsel, thereafter, relied upon the decision of the Hon'ble Supreme Court in the case of ***Tata Cellular vs. Union of India***[10] and more particularly, paragraph nos.68 to 78 and 83, thereof, to explain the scope of judicial review in such matters. He submitted relying on these paragraphs that this Court should exercise its jurisdiction since the decision-making process is flawed on account of the breach of principle of natural justice and authority exceeding its powers arbitrarily and improperly.

36. Learned senior counsel made his submission on the decision of the Hon'ble Supreme Court in the case of ***Nidhi Kaim (supra)*** which is relied upon in the reply filed by the State and the Council. He submitted that this decision does not have any precedential value since on account of divergence of opinion expressed by both the learned Judges, the matter was referred for appropriate orders before the Hon'ble Chief Justice of India and till today, there is no final order passed in this case.

Submissions of Mr. Bhavake appearing in Writ Petition No.5421 of 2023 and others :-

37. Mr. Bhavake, learned counsel adopted the arguments of learned senior counsel Mr. Bandiwadekar. He further submitted that in this petition and similar other petitions, the salaries and Shalarth

10 (1994) 6 SCC 651

IDs have been frozen by the impugned orders dated 17 August 2022 and 3 August 2022. He submitted that as per the Government Resolution dated 10 June 2022, there is a procedure prescribed for freezing of Shalarth IDs which are found to have been obtained by fraud, misrepresentation or suppression of facts. He submitted that the procedure prescribed in this Government Resolution has not been followed. He further relied upon the decision of Kolhapur Circuit Bench in the case of ***Shaikh Akbar Nabilal vs. The State of Maharashtra and others***[11] wherein in paragraph nos. 18 and 19, it is observed that non-compliance of clause nos. 3.1 and 3.2 of the Government Resolution dated 10 June 2022 would lead to quashing of any action taken contrary thereto. He, therefore submitted that the impugned order dated 17 August 2022 inasmuch as it freezes the salary and Shalarth ID of the petitioners whose names are in the list of 7,880 candidates whose performance is cancelled, is bad in law.

<u>Submissions of Mr. Pawar appearing in Writ Petition No.4203/2023</u> :-

38. Mr. Pawar, learned counsel appearing in Writ Petition No. 4203 of 2023 has adopted the arguments made by Mr. Bandiwadekar, learned senior counsel and further submitted that pending the present petition, majority of teachers have cleared the TET/CTET examination. He submitted that no benefit has been obtained on the

11 Writ Petition No. 9315 of 2024 dated 06.04.2026

basis of the TET examination. He further submitted that teachers have spent around 12-13 years and their performance may be cancelled but they should not be prevented from appearing in future examinations.

Summary of Written Submissions of Mr. Ram Karode in Writ Petition No.7401 of 2023 and other petitions :-

39. Mr. Karode, learned counsel for the petitioner submitted that, in some of his matters, salary and promotions have been stopped on account of the impugned proceedings/orders. He further submitted that, in the meanwhile, some of the candidates have passed CTET examination and some of them are working with minority institutions to whom TET examination was not compulsory. He submitted that, on account of permanent debarment, the petitioners are facing great hardship and are without any employment. Some of the petitioners are working without salary.

40. He submitted that none of the petitioners are named in the FIR and the charge-sheet. He further referred to the Government Resolution dated 23 August 2013, in which it is stated that if some irregularity is found, then the officials of the State Council will be held responsible for criminal prosecution. Drawing support from the said Government Resolution, he submitted that the petitioners cannot

be penalised on account of tampering of the marks at the end of the authorities conducting the examination. He submitted that if the petitioners have acquired CTET qualification, which is equivalent to TET, then their services should be protected. He submitted that the punishment of permanently debarring the petitioners from appearing in future TET examination is without authority of law and, further, the principles of natural justice have been violated, which vitiates the impugned orders. Alternatively, he submitted that the punishment of permanent debarment is harsh and, at the most, the punishment of debarment should be for 1 to 3 years. Mr. Karode relied upon decision of the Principal Bench of this Court in the case of ***Sagar Dattatray Chorghe vs. State of Maharashtra***[12]***.***

Submissions of counsel Mr. Rahul Shinde appearing in Writ Petition No.8460 of 2023 and other petitions :-

41. The submissions of Mr. Shinde are on the same lines as those of Mr. Karode and other counsel. He, therefore, prayed for allowing the petition and quashing the impugned order.

Submission of Mr. Pakale, senior counsel in Writ Petition No.106 of 2023 and other petitions :-

42. Mr. Pakale, learned senior counsel submitted that two

12 Writ Petition No. 7943 of 2024 dated 11 September 2025

punishments have been imposed by the respondents on the petitioners. Cancellation of the performance is the first punishment and, permanent debarment is the second punishment. He submitted that the respondents have adopted a very casual approach, without application of mind and by flouting the principles of natural justice, before imposing such punishment which deprives the petitioners of their livelihoods, and the same is in violation of Articles 14, 19(1)(g) and 21 of the Constitution of India.

43. Learned senior counsel submitted that, the impugned order dated 3 August 2022, is bereft of any reason. He submitted that there is no factual foundation in the impugned order with respect to at least some of the candidates and, therefore, the impugned order is more in the nature of a declaratory order and not teacher-specific. He submitted that there is no foundation in the impugned order, except some proceedings regarding the MHADA examination scam. The present proceedings have been taken without mentioning in the impugned order as to what was the material before the authority before passing the impugned order. He submitted that, except the MHADA scam, there is no foundation for imposing, or for passing the impugned order in the case of the petitioners who appeared for the TET examination. He submitted that a common order is passed by

treating 7,880 candidates as one group. He submitted that the impugned order dated 3 August 2022 only makes bald and vague statements with regard to the allegations, without any factual particulars with respect to, if not all, at least some of the candidates. He submitted that, in the impugned order, it is stated that no notice is required for cancellation and imposing punishment, which is contrary to law.

44. He submitted that the whole exercise leading to the impugned order is without authority of law. He submitted that neither in the 1998 Act nor in the 2010 Regulations there is any provision specifying the penalty and the procedure to be followed before imposing the penalty, and, in the absence of any penalty being prescribed, the impugned order is without jurisdiction and authority of law. Learned senior counsel vehemently attacked replies filed by the respondent-State and Council in lead Writ Petition No.9430 of 2022.

45. He further submitted that there is no delegation of power to the Executive Committee to take the decision, nor any material is placed on record to show that there has been any actual delegation for imposing such penalty. He further submitted that the impugned order is passed ex-parte and is, therefore, in violation of the

principles of natural justice.

46. He submitted that the resolution on the basis of which the impugned order is passed is also without any authority of law and the same is a nullity. He submitted that there was no decision taken, but only a recommendation made by the Committee. He referred to the resolution dated 11 May 2022 and various other documents annexed to the affidavit-in-reply of one Mr. Sharad Gosavi, Director of Education filed in lead petition, to press his point that the respondents themselves have admitted that there was no penalty prescribed. He submitted that, based on this admission itself, penalty imposed is required to be quashed and set aside. He submitted that cancellation of the results itself is a penalty and, even for the cancellation, there is no power given. He, therefore, submitted that the impugned action is required to be quashed and set aside.

47. Learned senior counsel, referred to Clause 2 of Rule 1 of 2010 Regulation which is referred to in the reply of the respondents in lead petition, and submitted that it applies only to employees of the State and Regional Councils and not to petitioner candidates. There is no provision to take action against the candidates since these regulations do not cover them. He, therefore, submitted that the impugned order is without authority of law.

48. Learned senior counsel further submitted that it is settled position that an order has to stand on its own legs and it should speak for itself. In the impugned order, there are no reasons given, there is no factual foundation nor any affidavits are filed supplying the documents on the basis of which the impugned order is passed. He, therefore, submits that such a non-reasoned and non-speaking order has to fall down. He further submitted that since nothing has been produced, it should be inferred that there is no such material on the basis of which the impugned order is passed. He submitted that the report referred to in the resolution is also not brought on record and therefore, there are strong reasons to believe that order is not based on any report, but at the behest of some unknown authorities or higher authorities.

49. He submitted that in the affidavit of Mr. Gosavi, respondents have stated that they have relied on the provisions/regulation of Maharashtra Public Services Commission (MPSC) for imposing the penalty. He submitted that this itself shows that there are no regulations under the Maharashtra State Council of Examination Act, nor there are provisions in 2010 Regulation. He, therefore, submitted that the impugned order is required to be set aside.

50. Learned senior counsel further referred to communication between the State to the Commissioner, Maharashtra State Examination Council, dated 10th June 2022, whereby the State directed the action to be taken against the candidates including permanent debarring them from appearing for examinations. He therefore submitted that the action is taken at the behest of the State. Learned senior counsel has also filed written submissions, the gist of which is already recorded by us above.

51. Learned senior counsel relied upon following decisions in support of his above submissions and prayed for allowing the petition in terms of prayer clauses mentioned therein.

a) *State Bank of India & Ors. vs. Rajesh Agarwal & Ors.*[13]
b) *State of Gujrat vs. Mirzapur Moti Kureshi Kassab Jamat & Ors.*[14]
c) *Nidhi Kaim (supra)*
d) *Delhi Development Authority vs. Bhim Sain Goel and Ors.*[15]
e) *D K Yadav vs. JM Industries Limited*[16]
f) *Kuldeep Kumar Pathak vs. State of UP and Ors.*[17]
g) *Chishti Farhanuddin Qaiseruddin Chishti vs. State of Maharashtra & Ors.*[18]
h) *Narayan Dodhu Chaudhary vs. State of Maharashtra & Ors.*[19]

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13 2023 (6) SCC 1
14 2005 (8) SCC 534
15 (2022) 17 SCC 580
16 1993 AIR (SCW) 1995
17 2016 (3) SCC 521
18 2016 (5) MhLJ 280
19 2005 (3) MhLJ 693

i) *Nepal Singh vs. State of Uttar Pradesh*[20]

j) *Krishna Mohan Medical College and Hospital & Anr vs. Union of India and Anrs.*[21]

k) *Radhey Shaym Gupta vs. UP State Agro Industries Corp. Ltd.*[22]

l) *Board of High School and Intermediate Education, UP vs. Bagleshwar Prasad*[23]

m) *Vijay Singh (Supra)*

n) *Vanshika Yadav vs. Union of India & Ors.*[24]

o) *Devidas Bhanudas Toradmal vs. State of Maharashtra & Ors.*[25]

p) *Rajkumar Dhakad vs. State of MP*[26]

Submission of Mr. Syed, appearing in Writ Petition No.7316 of 2024:-

52. Mr. Syed, learned counsel submitted that because of the impugned order the petitioners were debarred from appearing for TAIT, CTET, etc. examinations. However, by intervention of this Court, the petitioners participated in these examinations and ultimately, they were given appointment orders since they had qualified CTET/TAIT examinations. He submitted that the petitioners have not claimed any benefit on the basis of the TET results. He further submitted that the punishment of permanently debarring the petitioners is coming in their way and may affect future prospects

20 1985 AIR (SC) 84
21 2017 (15) SCC 719
22 1999 (1) CurlR 489
23 1966 AIR (SC) 875
24 2024 INSC 568
25 2025(1) MhLJ 476
26 High Court of Madhya Pradesh M.CR.C. No. 16327 of 2022

and the present job. He, therefore, submitted that the services of the petitioners should be protected since they have not claimed any benefit on the basis of the TET examination. He relied upon decision of this Court in the case of ***Hina Kausar vs. State of Maharashtra***[27] and ***Pandharinath Kanojia vs. State of Maharashtra***[28].

<u>Submissions of Mr. Ghatol Patil, appearing in Writ Petition No.9676 of 2024</u> :-

53. Mr. Patil, learned counsel for the petitioner submitted that the petitioner in Writ Petition No.9676 of 2024, has annexed answer sheet attempted by the petitioner and the model answers provided by the respondent. He submitted that on a comparison of both, marks obtained by her, is identical to the marks based on the model answers given by the respondents. He, therefore, submitted that the case of the petitioner does not fall in malpractices of tampering with the marks and therefore, the petitioner's name has been wrongly included in the annexure to the impugned order. He submitted that various applications were made for getting information on the basis of which petitioner's name has been shown in the annexure to the impugned order but the authorities have not given any information on the ground that the FIR is filed on the subject matter. He, therefore, submitted that this petitioner's case is different and the

27 WP/8534/2023 dated 14 September 2023
28 WP/1269/2025 dated 25 March 2025

petition deserves to be allowed on this ground itself.

54. All other counsel appearing for the petitioners have adopted the submissions made by all the learned senior counsel and other counsel and prayed for allowing the petitions.

Submissions of Mr. Hon, senior counsel for respondent-State :-

55. Mr. Hon, learned senior counsel relied upon paragraphs 27 and 28 of the order dated 11 June 2021 passed in Writ Petition No.4940 of 2020, wherein the condition of compulsory TET was challenged. He submitted that the rationale for making TET a compulsory qualification for teaching young children was to bring national standards and benchmarks of teacher quality into the recruitment process, since these teachers would be moulding and shaping the minds of young children. He submitted that this Court, in paragraph 28, has observed that heavy responsibility would lie upon the teachers to impart quality education to these young minds. It is in this background that the action impugned in the present group of petitions has to be tested by the Court. He further relied upon order passed by the Hon'ble Supreme Court on 8 September 2026 in Writ Petition (Civil) No.1102 of 2026, wherein the Hon'ble Supreme Court has observed that no teacher shall be appointed in schools or colleges unless they possess the requisite prescribed qualification.

56. Learned senior counsel, on a query by the Court, stated that generally, within two months of the examination, the final results are declared. However, in the instant case, on account of COVID-19, the results were declared in August 2020 and since model answers and copies of answer sheet were with candidates, they knew what marks they were going to get and taking advantage of lockdown, malpractice came to be practised in collusion with officers of the Council by altering only the marks.

57. Learned senior counsel brought to our attention the answer sheets of the candidates who are petitioners in lead petition. He submitted that as soon as the examination is over, a carbon copy of the answer sheet is given to the candidates, and the original is taken by the supervisor. The original is thereafter scanned and retained and available even today. He submitted that after few days of the examination, the candidates are also given model answer sheets so that they can compare the answers with those attempted by them. He submitted that based on the comparison between the answer sheets attempted by the petitioners and the model answers, it was clear that the actual marks obtained by the candidates were far less than what was printed on the final mark-sheets. He submitted that none of the petitioners have denied this, in spite of the respondents having made

a specific plea in this regard in their reply and attached answer sheets there with. He submitted that this would amount to admission of the candidates having obtained more marks than what they actually secured. He further called upon all the petitioners to come forward and deny their answer sheets and model answers which would prove whether respondents have given marks wrongly.

58. With regard to Writ Petition No.9676 of 2024, in the case of ***Heena Kausar (supra)***, the marks as per the answer sheet of the candidate was 82, whereas in the final mark sheet, it was printed as 84. Therefore, the name of this petitioner appeared in 7880 candidates whose marks were tampered with. He submitted that the issue is not whether the difference was only two marks, but whether the actual marks were different from those appearing in the final marks sheet. He submitted that in competitive exams even a difference of one mark can make huge difference.

59. Mr. Hon, learned senior counsel for the respondents, submitted that after the issue of tampering was brought to the notice of the respondents by the police authorities, and the police authorities specifically stated that the marks of 7,880 candidates have been tampered with, respondent-Council physically verified the answer sheets of these 7,880 candidates for ascertaining the actual

marks and compared the same with the marks printed on the mark sheets. It is only thereafter that the results of 7,880 candidates were cancelled.

60. Learned senior counsel further disputed the submissions made by the petitioners that none of the petitioners have been questioned by the police authorities. He submitted that the police authorities have recorded the statements of various candidates and the admissions made therein. He further submitted that this malpractice was carried out by the officials of the respondent Council, namely, Mr. *Tukaram Namdeo Supe*, who was holding dual charge as a Commissioner of Maharashtra State Examination Council as well as also President of Maharashtra State Examination Council during the period when the fraud was committed. He submitted that necessary criminal and disciplinary action have been initiated against Mr. Supe by the respondents.

61. Learned senior counsel relied upon the guidelines for conducting TET, wherein, in paragraph 12, it is specifically stated that a serious view will be taken of any malpractice or impersonation by or against a candidate.

62. Learned senior counsel submitted that the decision for cancellation of results of 7,880 candidates was taken in the larger

public and society interest since the State did not want young minds to be trained by such teachers. He submitted that keeping in mind the fundamental Right to Education, the decision in larger public interest was taken. He submitted that between private interest and larger public and society interest, it is the later which should prevail over the former.

63. Learned senior counsel, thereafter, made submissions on the reliefs sought in the petition. He submitted that the petitioners have sought prayer to quash the communication dated 10 June 2022. He submitted that as per this communication, the State had directed the Council to conduct an enquiry with regard to the fraud and inform the concerned schools about the candidates involved and, after hearing them, to take appropriate action. In the meanwhile, their salary and Shalarth - ID were frozen. He submitted that before any inquiry could be initiated against these teachers, they approached this Court and obtained interim orders, which prevented the management and the respondents from initiating an inquiry against the teachers. He submitted that the freezing of salary and Shalarth - ID was only subject to the completion of the inquiry. He submitted that under the interim orders, these teachers have been paid their salaries. He submitted that the petitioners have delayed the

conduct of the inquiry by the concerned authorities by obtaining interim orders of this Court. He submitted that no mandamus could be issued for quashing of the communication dated 10 June 2022. He further submitted that the communication dated 10 June 2022 specifically stated that a hearing would be given before a final decision was taken. He therefore submitted that the challenge to the said communication is also premature.

64. Learned senior counsel, thereafter, brought to our attention the communication dated 18 August 2022 addressed by the Council to the Director of Education for freezing of salary and Shalarth - ID. He submitted that the salary and Shalarth - ID of only 576 candidates out of 7,880 have been frozen.

65. Learned senior counsel further submitted that the results of 7,880 candidates have been cancelled, but not all of them have approached the Court. The number of candidates who have approached the Court is much less. He submitted that the other candidates have accepted the cancellation, which fortifies the action of the respondents.

66. Learned senior counsel thereafter relied upon Section 26 of the 1998 Act, which provides for powers of the Government to issue directions. He submitted that the authorities under the Act work

under the supervision of the State Government. He, therefore, submitted that the directions issued by the State Government by various communication to the Council were under Section 26 of the said Act. Alternatively, he submitted that the directions are also in pursuance of Article 162 of the Constitution of India.

67. Learned senior counsel, thereafter, drawing support from the Government Resolution dated 12 October 1993, submitted that the Hon'ble Supreme Court, in its judgment in the case of ***District Collector vs. N. Tripura Sundaridevi***[29], has observed that a person who obtains an appointment without possessing the qualification for the post would amount to playing fraud, and no Court should be a party to the perpetuation of such fraudulent practice. He further stated that in the said Government Resolution, it is specifically mentioned that, if the charges are proved in this regard, then the government servant should be removed or dismissed from service. He defended the impugned action by drawing support from this Government Resolution.

68. Learned senior counsel referred to GR dated 31st October 1996 with regards to caste certificate obtained by playing fraud. This GR states that if any person employed with the State on the basis of a caste certificate which is obtained by fraud, then appropriate action

29 (1990) 4 SLR 237

will be taken including termination of his employment and appropriate disciplinary action against him will also be taken. He, relying upon this GR, submitted that the State Government does have the power of terminating a government servant who has obtained the service on the basis of a fraudulent document.

69. Learned senior counsel, thereafter, relied upon Sections 14, 18(1) and 18(2), 23(1)(a),(f), (p), (s) and (t) and the preamble of the 1998 Act and submitted that the State and the Council have enough power for cancellation of the performance of the candidates and imposing the punishment. He also relied upon Section 35 of the said Act which provides that the Council shall furnish to the Government such reports, etc. as may be required by the Government and such further information relating to any matter connected with its work as the Government may call for and the Government after considering such report, etc. may give appropriate direction consistent with the Act as may be necessary and the Council shall comply with such directions. He, therefore, submitted that the respondent-State have acted within the powers conferred by the 1998 Act for issuing the impugned orders/communications.

70. Learned senior counsel, thereafter, submitted that in the order dated 3 August 2022, there is a reference to 11 documents

starting from 2019 up to the passing of the impugned order in 2022 which clearly demonstrates that the respondents have not acted in haste but after completely verifying the information received from the police authorities independently and after due consideration and deliberation by the expert committee and the officials of the Council and the State Government. He submitted that the reference to these documents itself and on a reading of the impugned order it cannot be said that the impugned order is without any reason.

71. Learned senior counsel, thereafter, submitted that a 6-member Committee was formed and was entrusted to examine this issue and the said Committee consisted of officials of high ranking viz., Deputy Commissioner, Assistant Commissioner, Superintendent etc., drawn from Council and education department. These are competent officers and, therefore, it cannot be said that there was no application of mind before taking the impugned action.

72. Learned senior counsel, thereafter, referred to letter dated 14 February 2022, annexed to the reply of respondents, addressed to the Council by the Committee, wherein detailed report with respect to verification of 7,880 answer sheet was made.

73. Learned senior counsel relied upon following decisions of the Hon'ble Supreme Court in support of his various submissions

made herein above :-

FRAUD, ILLEGAL APPOINTMENTS

(i) *District Collector & Chairman, Vizianagaram Social Welfare Residential School Society, Vizianagaram & Anr. vs. M. Tripura Sundari Devi* [30]

(ii) *Central Bank of India vs. Madhulika Guruprasad Dahri & Ors.*[31]

(iii) *Smriti Madan Kansagra vs. Perry Kansagra*[32]

NATURAL JUSTICE FUTILE EXERCISE

(i) *Dharampal Satyapal Limited vs. Deputy Commissioner of Central Excise, Gauhati & Ors.*[33]

(ii) *State of Uttar Pradesh vs. Sudhir Kumar Singh & Ors.*[34]

(iii) *Union of India & Ors. vs. M. Bhaskaran*[35]

ARTICLE 162

Association of Medical Superspeciality Aspirants And Residents & Ors. vs. Union of India & Ors.[36]

EXAMINATION MALPRACTICE/SCAM

(i) *Nidhi Kaim (supra)*

(ii) *State of West Bengal vs. Baishakhi Bhattacharyya (Chatterjee) & Ors.*[37]

PENDENCY OF ISSUE BEFORE LARGER BENCH

(i) *Ashok Sadarangani & Anr. vs. Union of India & Ors.*[38]

30 (1990) 3 SCC 655
31 (2008) 13 SCC 170
32 (2023) 20 SCC 517
33 (2015) 8 SCC 519
34 (2021) 19 SCC 706
35 1995 Supp (4) SCC 100
36 (2019) 8 SCC 607
37 (2025) 11 SCC 126
38 (2012) 11 SCC 321

SUPERINTENDENCE OF POWERS

(i) Central Information Commission vs. DDA & Anr.[39]

SOURCE OF POWER NEED NOT BE MENTIONED

(i) Mahatama Gandhi Mission & Anr. vs. Bhartiya Kamgar Sena & Ors.[40]

NO APPOINTMENTS WITHOUT TET

(i) Rajesh Chauhan & Anr. vs. Union of India & Ors.[41]

74. Learned senior counsel concluded by praying for dismissal of these writ petitions and for taking strict and serious view of the matter keeping in mind that these petitioners were to teach young children.

Submissions of Mr. Nikam appearing for Council :-

75. Mr. Nikam, learned counsel appearing for Council adopted submissions of Mr. Hon, senior counsel for State and submitted that the officers involved in the scam comprised of officers of the Council, Chairman, Directors and Vice President of GA Software Company, Deputy Secretary of School Education Department and Technical Advisor working in the office of Commissioner of Education. He submitted that it was in connivance with these officers and the candidates that the malpractice has been committed in the year 2018

39 (2024) 8 SCC 812
40 (2017) 4 SCC 449
41 Writ Petition(s) (Civil) No(s).1102/2026

and 2019 since 2019 was the last attempt to clear the TET exam, failing which the services of in-service teachers were to be terminated. Therefore, according to him, the candidates sought to achieve the success by unfair means.

76. Mr. Nikam further submitted that statements of the some of the candidates have been recorded by the police authorities prior to the impugned order dated 3 August 2022. Some of these candidates whose statements were recorded have also filed petitions challenging the impugned action but they have not disclosed in the petition that their statements were recorded. He submitted that in these statements, these candidates have admitted based on the model answers and answer-sheet attempted by them that the marks are different than the marks shown on the mark-sheet. Some of the candidates have also admitted that they have paid cash for altering the marks. It is his submission that the petitioners in Writ Petition Nos.10879 of 2022, 9512 of 2022 and 9760 of 2023 have not disclosed in the petitions that their statements have been recorded, wherein they have admitted that there has been a change in their marks but they have denied that they have made any payment for doing so. It is his submission that these petitioners having not disclosed in the petitions that their statements have been recorded by

the police and thereby have played fraud on this Court by suppressing material information and, therefore, these petitions should be dismissed at the outset.

77. Mr. Nikam further submitted that from the above fact, submission made by the petitioners that statements of none of the candidates have been recorded is incorrect. He submitted that it was only after the statements of some candidates were recorded and detailed process was followed that the impugned order came to be passed.

78. Mr. Nikam referring to the annexures filed with affidavit of Ms. Shailaja submitted that right from 16 December 2021, the day when the cyber police informed the Education Commissioner, the Council took various steps namely filing of FIR, forming Committee, physical verification of the marks and the OMR-sheet, submitting report by the Committee, deliberations by the Committee, various communications between the State and the Council that ultimately the impugned order was passed.

79. He submitted that the impugned order dated 3 August 2022 contains various documents which clearly demonstrates that the decision was not taken in haste and without application of mind but by following detailed verification and investigation before passing

the impugned order.

80. He submitted that none of the petitioners have come forward to claim that the marks as per the model answers and the answer-sheets attempted are same as those printed on the original mark-sheet, inspite of the answer-sheets and model answers having annexed with the reply to the Writ Petition No.9430 of 2022.

81. Mr. Nikam further submitted that 2018 TET exam results were cancelled by order dated 14 October 2022 on same lines as that of TET 2019 since malpractices were found even in that exam on the same lines. The said order of 14 October 2022 is challenged in Writ Petition No.14072 of 2023.

82. Mr. Nikam relied upon Regulation 8(2)(t) of Chapter V Part II of 2010 Regulations and after pointing out various steps taken from 16 December 2021 till the passing of the order, sought to canvas the conferment of powers for passing the impugned orders.

83. At this stage, the Court raised a query to Advocate Mr. Panpatte as to why his client has not disclosed in the petition that his statement has been recorded by the police authorities with regard to the malpractice. Mr. Panpatte, learned advocate submitted that such statement does not have any evidentiary value till it is proved and therefore, the need to disclose was not felt. He defended the non-

disclosure of such a statement in the petition. The Court further gave an opportunity to the client of Mr. Panpatte and other petitioners for filing an affidavit that such a statement was never recorded. However, no such affidavit has been filed.

84. Mr. Nikam relied upon following decisions in support of his above submissions and prayed for dismissal of the petitions with costs.

(i) Chairman, J & K State Board of Education vs. Feyaz Ahmed Malik & Ors.[42]

(ii) The Bihar School Examination Board vs. Subhas Chandra Sinha & Ors.[43]

(iii) Gohil Vishvaraj Hanubhai & Ors.[44]

(iv) Dilip Jagannath Sarode & Ors. vs. Maharashtra Public Service Commission & Ors.[45]

(v) State of Maharashtra & Ors. vs. Prabhu[46]

(vi) In Re: Dr. Ram Ashray Yaday, Chairman Bihar Public Service Commission[47]

(vii) Om Kumar vs. Union of India[48]

(viii) Bank of India & Anr. vs. Avinash D. Mandivikar & Ors.[49]

(ix) M. Tripura Sundari Devi (supra)

(x) Chairman Board of Mining Examination and Chief

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42 (2000) 3 SCC 59
43 (1970) 1 SCC 648
44 (2017) 13 SCC 621
45 2008 LJSoft (Bom) 856
46 (1994) 2 SCC 481
47 2000 DGLS (SC) 616
48 2000 DGLS (SC) 1643
49 (2005) 7 SCC 690

Inspector of Mines vs. Ramjee[50]

(xi) *Biswa Ranjan Sahoo & Ors. vs. Sushanta Kumar Dinda & Ors.*[51]

Rejoinder of Mr. Sapkal, Senior Counsel :-

85. Mr. Sapkal, learned senior counsel referring to the decision in the case of ***Anjuman Ishaat-E-Taleem Trust vs. State of Maharashtra & Ors.***[52] submitted that by virtue of punishment, though Hon'ble Supreme Court has extended the time to clear TET exam upto the year 2028, petitioners would not be entitled to such an extension. He also submits that such a punishment would be contrary to the decision of the Hon'ble Supreme Court. He further submitted that appointment of most of the petitioners was not illegal since at the time of the appointment, there was no condition of clearing TET exam. Such a condition came after their appointment was approved by the appropriate authorities under the MEPS Act. He further submitted that the GRs dated 12 October 1993 and 31 October 1996 relied upon by respondent-State are not applicable since the petitioners are not in government service but in private service and their service conditions are regulated by the MEPS Act and Rules.

50 1977 DGLS (SC) 72
51 (1996) 5 SCC 365
52 (2026) 7 SCC 690

86. Learned senior counsel further referred to Sections 2(d), 2(g) and 2(l) of the 1998 Act and submitted that by virtue of GRs or Regulations there cannot be cancellation of results and imposition of punishment, since the scheme of the Act provides for the regulations in this regard which are not in existence. He further submitted that Section 14 of the 1998 Act is not applicable since the Committee itself is not in existence. Learned senior counsel further pointed out that provisions of Section 18 to form the Committees is mandatory and in the absence of such Committees being formed, the impugned orders are without jurisdiction. He further submitted that Section 18(2) cannot be pressed into service by the respondent-State since the said provision is for constituting Committee for performance of its functions and not for cancellation of results and imposition of punishment.

87. He further referred to various provisions of Section 23 and submitted that the State Council has to advise the Government on policies relating to examination and not to receive the instructions from the State Government. He further submits that there is no power under Section 23 to cancel the results. He then submitted that Section 35 which empowers the State to give direction to the Council for necessary action is also not applicable in the instant case because

such direction should be consistent with the Act and in the instant case, the directions are not consistent with the Act. He further submitted that provisions of Sections 37 and 38 are also not applicable in the absence of any Committee which, under 2010 Regulations is empowered to conduct the enquiry and recommend penalty in case of malpractice. He submitted that since the decision making process is not in accordance with the 1998 Act and 2010 Regulation, the impugned orders have to be quashed.

88. Learned senior counsel referred to Regulations 8, 11 and 13 of 2010 Regulations and submitted that it is the Examination Committee of the Regional Council which is supposed to enquire into the complaints regarding the alleged leakage and malpractice and such a Committee should report to the Standing Committee of Regional Council at its next meeting. He submitted that this procedure has not been followed before passing the impugned order. He further submitted that under Regulation 11(2), duty of the Examination Committee is to recommend Executive Committee on the procedure to be followed and punishment to be imposed by the Regional Council which again has not been complied with. He, therefore, submitted that since 2010 Regulation requirements are not complied with, the decision-making process is flawed and, therefore,

the impugned orders are without jurisdiction, illegal and bad in law.

89. Learned senior counsel, thereafter, sought to distinguish the decision relied upon by the State on the ground that those decisions dealt with obtaining appointment by illegal means whereas in the instant case there is no illegality pertaining to appointment. The appointments have been approved under the MEPS Act and Rules. The requirement of clearing TET exam came after the date of appointment and, therefore, decisions would not be applicable. He further submitted that reliance placed by the respondent-State on the decision of the Hon'ble Supreme Court in the case of ***Dharampal Satyapal Limited (supra)*** to dispense with natural justice principles also would not be applicable in the instant case, since that would amount to the authorities having pre-determined the action. He submitted that severe prejudice is caused to the petitioners because of impugned order.

90. Learned senior counsel, thereafter, sought to distinguish the decision in the case of ***Baishakhi Bhattacharyya (Chatterjee) (supra),*** on the grounds of fairness, equity, etc., by submitting that investigation has not been conducted in the instant case and there is no proof to substantiate the allegations and, in any case, allegations cannot substitute the proof.

91. Learned senior counsel, Mr. Sapkal, therefore, prayed for allowing the petitions in toto.

Rejoinder of Mr. Bandiwadekar, Senior Counsel :-

92. Mr. Bandiwadekar, learned senior counsel submitted that the statement of the petitioners in petitions in which he is appearing were not recorded by the police authorities. He further submitted that the submission of the respondent-State that the petition is premature is also not correct since by 3 August 2022, the petitioners were permanently debarred from appearing for TET exam and their performance was cancelled which resulted into their job being terminated but were saved because of interim orders of this Court. He submitted that because of 3 August 2022, submission made by respondent-State on the basis of communication dated 10 June 2022 that the petition is premature is required to be rejected.

93. Mr. Bandiwadekar, learned senior counsel further submitted that provisions of Section 26 of the 1998 Act cannot be pressed into service for justifying the punishment since the said section provides for framing of rules which was also the instructions given by the State Government to the Council before imposing the penalty. Admittedly, the State and the Council have not produced any procedure or regulation or rules regarding imposition of penalty.

94. Lastly, he submitted that Section 23(1)(t) does not empower the authorities to terminate the employment and Shalarth IDs since the said provision is only for the purposes of 1998 Act.

Rejoinder of Mr. Pakale, Senior Counsel :-

95. Mr. Pakale, learned senior counsel submitted that the State has not made any submissions on blacklisting of the candidates without giving any hearing. He further submitted that the State has not filed any reply in his petition and, therefore, he is handicapped in making the submissions in regard to the documents which are filed with the reply in lead petition. Learned senior counsel fairly stated that it is not his case that the Council does not have power to cancel the performance but it is his case that the Council does not have the power to blacklist the petitioners and that too, without complying with the principles of natural justice. He further submitted that since the appointments were prior to introduction of TET, cancellation of performance would not result into termination of the service of the petitioners appointed prior. He further submitted that in the absence of compliance with Article 166 of the Constitution of India, impugned actions cannot be justified by taking shelter under Article 162 of the Constitution of India. He, therefore, concluded by submitting that the petitions be allowed by quashing the impugned orders.

ANALYSIS AND CONCLUSIONS :-

96. Before we proceed to address the issue, it is necessary to analyse certain provisions of the 1998 Act which are relevant for the purpose of the present decision.

97. Section 2(b) defines "Commissioner" to mean the Commissioner of the Maharashtra State Council of Examinations appointed under Section 20. Section 20 deals with the appointment, powers and duties of the Commissioner of the Council. It provides that the State Council shall have a Commissioner appointed by the Government from amongst persons holding the post of Joint Director of Education from the Maharashtra Education Service. The Commissioner shall be wholly responsible for the design, organization and conduct of examinations to be conducted by the State Council. The Commissioner shall be the ex officio Chairperson of the Examination Committee of the State Council. The Commissioner shall be the Executive Officer of the State Council.

98. Section 2(c) defines "Council" to mean the State Council of Examinations or a Regional Council established under Section 3. Section 2(n) defines "State Council" to mean the Maharashtra State Council of Examinations established under sub-section (1) of Section 3 of the Act. Section 3(1) provides that the Government shall, by

notification in the Official Gazette, establish, for the purposes of this Act for the whole State, a Council to be called the Maharashtra State Council of Examinations. Section 4 provides that the State Council will be a statutory autonomous body. Section 5(2) provides that the Commissioner shall be the ex officio Member-Secretary of the State Council, who shall be entitled to take part in all the deliberations and proceedings of the meetings of the State Council, but shall have no right to vote.

99. Section 14 provides that no act or proceeding of the State Council or any Regional Council or any committee of a Council shall be invalid merely by reason of any vacancy in, or any defect in the constitution of such Council or Committee.

100. Section 18 provides that the State Council shall constitute following committees, namely, Academic Committee, Executive Committee, Finance Committee and Examination Committee and such other Committees for the efficient performance of its functions.

101. Section 23(1)(f) provides that the State Council shall conduct examinations and award certificates to the candidates passing the various examinations. Section 23(1)(p) provides that the State Council shall appoint such committees as it may think necessary for the efficient discharge of its functions under this Act. Section

23(2) provides that it shall be lawful for the Council to conduct the examinations on the request of any authority, on contract basis and on the terms and conditions approved by the Council. Section 23(1)(t) provides for doing all acts and things necessary to carry out the purposes of the Act.

102. Section 26 provides for the powers of the Government to issue directions. Sub-section (1) provides that the Government shall have the power to issue to the State Council or a Regional Council such directions as it may consider necessary in regard to all or any of the matters specified in clause (a) of sub-section (1) of Section 23 and the Council concerned shall comply with such directions. Sub-section (2) provides that the Government shall also have right to address to the State Council or a Regional Council with reference to anything it has conducted or done or is conducting or doing, or intends to conduct or do, and to communicate to the Council concerned its views in the matter. Sub-section (3) provides that the Council shall report to the Government such action taken upon receipt of the communication from the State Government and shall furnish an explanation if it fails to take appropriate action. Sub-section (4) provides that if the Council fails within a reasonable time to act, then the Government may, after considering the representation

or explanation furnished, issue directions which should be complied with by the Council. Sub-section (5) deals with an emergency situation which, in the opinion of the Government requires that immediate action to be taken and the Government may take such action, consistent with the Act, as it deems necessary, without previous consultation with the Council concerned, and shall forthwith inform it of the action taken.

103. Section 37(2) provides for powers of the State Council to make regulations. It provides that the State Council may provide for the constitution of various committees, the marks required for passing in any subject, arrangements for conduct of examinations and publication of results, the awarding certificates, etc.

104. It is also relevant to analyse the important provisions of the 2010 Regulations which are pressed into service by the parties. Part I of the 2010 Regulations deals with conditions of service of employees. We are not concerned with Part I and, therefore, the same is not analysed herein.

105. Part II of the 2010 Regulations consists of various Chapters which are relevant for the purposes of deciding the issue raised herein.

106. Chapter I of Part II deals with definitions. Regulation 1(2) defines "Commissioner" to mean the Commissioner of the Maharashtra State Council of Examinations. Regulation 1(8) defines "examination" to mean all examinations conducted by the Council at the end of such prescribed time schedule as may be determined in the syllabi and all other examinations conducted by the Council on contract basis on the terms and conditions approved by the Council. Regulation 1(9) defines "examination on contract basis" to mean all the scholastic, professional, entrance tests and other examinations conducted by the Council on the request of any authority on the terms and conditions approved by the Council, as specified under Section 23(2) of the Act. Regulation 1(15) defines "specified examination" to mean all the scholastic, professional and certain other examinations entrusted by the Government to the Council from time to time.

107. Chapter III of Part II deals with the powers and duties of the Chairperson and the Commissioner of the State Council. Regulation 4(1) provides for the duties of the Commissioner. Regulation 4(1)(b) provides that the Commissioner shall act as a Member-Secretary of all committees of the State Council except the Examination Committee and it is his duty to attend and participate in

the discussions at the meeting of such committees and place before it any information as may be called for at such meeting. Regulation 4(1)(g) requires the Commissioner to take action on the minutes and reports of the State Council and its committees. Regulation 4(1)(n) provides that in case of an examination conducted by the State Council on contract basis, the Commissioner shall be responsible to organize and conduct the examination as per the terms and conditions approved by the Council. Chapter V of Part II deals with committees of the State Council. Regulation 7(5)(a) provides that the Commissioner shall be the Secretary of all the committees of the State Council except the Examination Committee. Regulation 8(1) of Chapter V of Part II provides that the Executive Committee shall function subject to the control of the State Council. Regulation 8(2)(t) provides that the Executive Committee shall lay down the procedure and specify the penalties to be followed by the State Council and the Regional Councils in dealing with cases of unfair means adopted by persons in the process of examination.

108. Regulation 11(2) provides for duties and functions of the Examination Committee. Regulation 11(2)(i) provides that the Examination Committee shall recommend to the Executive Committee schedule of punishment to be followed by the Regional

Council in dealing with malpractices of candidates, paper-setters, etc.

109. At the outset, the petitioners have adopted common approach for attacking the impugned orders by treating cancellation of results and permanent debarring from appearing in future TET exam as one and the same. However, we do not agree with this approach. According to us, both the issues needs to be addressed separately since parameters required to adjudicate both the issues would be different.

110. The following two broad issues arise for consideration of this Court :-

> *Whether cancellation of results by respondent-Council and whether the penalty/punishment imposed without following principles of natural justice is justified.*

Issue No. 1 :

> *Whether, on the facts and circumstances of the present case, respondents – State and Maharashtra State Council of Examination / Education were justified in cancelling the performance of the petitioners who appeared in TET – 2018 and TET – 2019 exams without following the principles of natural justice?*

111. Respondent-State at the outset of the hearing called upon the petitioners to approach the respondent to verify their answer-

sheets with model answers so that the root cause of the issue raised in these petitions can be thrashed out which will prove whether petitioners are correct in stating that marks shown on mark-sheet are correct or whether respondents are correct in contending tampering of marks. Despite this, none of the petitioners availed the offer nor any of the petitioners in their submissions has refuted this, except in case of one of petitioner whose marks were shown as 84 when he secured 82. Even this petitioner later did not contest correct marks as 82. In our view, this clearly amounts to admission of tampering of marks by the petitioners. On this ground itself, the cancellation of results has to be confirmed and challenge is required to be rejected without going into other submissions. In our view, equitable extraordinary jurisdiction of this Court under Article 226 cannot be invoked for seeking remedy on this issue.

112. In Writ Petition No.9430 of 2022 there are total 15 petitioners. The respondents in the reply have annexed the answer sheets attempted by these petitioners which are signed by the candidates and based on these answer sheets, correct marks obtained are mentioned in the reply. These marks are compared with the marks shown on the mark-sheet which proves tampering of the marks. These petitioners have not expressly denied that these answer

sheets do not belong to them nor they have come out with the case that when compared with model answers, the answers given by them would reflect the marks originally allotted and appearing in the mark-sheet. Similar answer sheets attempted by other petitioners have been filed by the respondents in other matters which has not been rebutted by these petitioners. In our view, this is clear case of admission of tampering of marks in the mark-sheet as compared to the actual marks which the petitioners were entitled to. There are more than 500 petitions before this Court and none of the petitioners has come out with a positive case based on their answer sheet and the model answers to prove that the original marks shown in the mark-sheet is correct. In our view, the petitioners who have invoked equitable jurisdiction of this Court cannot seek any relief on basis of these facts by raising hyper-technical and superfluous objections.

113. We are quite astonished that some of the candidates whose statements were recorded by the police authorities much prior to the impugned order dated 3 August 2022 have filed petitions in this Court namely, Writ Petition Nos.10879 of 2022, 9512 of 2022 and 9760 of 2023 without disclosing in their petitions that such statements have been recorded. In our view, this is a clear case of suppression of important material fact by the petitioners and moreso

by the petitioners who are either teachers or who would be entering the teaching profession. These petitioners have not only engaged in malpractices but have also played a fraud on this Court by not disclosing this important material. Therefore, these petitions are dismissed on account of suppression of material facts. In this group of petitions, in most of the petitions there are more than one petitioner and, therefore, the respondent-Council is not able to state exactly the writ petitions number filed by the candidates whose statements have been recorded, other than those stated above. Therefore, we deem fit that the Council would verify this at its end, the candidates whose statements have been recorded prior to 3rd August 2022 and who have filed the petitions but have not disclosed this important material. Such candidates should be identified by the contesting respondents i.e. State and the Council and insofar as these candidates are concerned this Court is not inclined to give any relief including the relief of quashing of permanent debarment from appearing in TET exam since these candidates have not approached this Court with clean hands and this Court would not permit such persons to pollute the minds of the young children.

114. The impugned order dated 3 August, 2022, is passed by the Commissioner of the Council. Section 2(b) of 1998 Act defines

Commissioner to mean Commissioner of the State Council appointed under Section 20. Section 20(2) provides that the Commissioner shall be wholly responsible for conduct of the examinations to be conducted by the State Council. The Commissioner under Section 20(5) is the Executive Officer of the State Council and he would exercise powers as may be prescribed. The powers and duties of the Commissioner are specified in Chapter III, Part II of 2010 Regulations. Rule 4 of Chapter III provides that the Commissioner shall act as a member secretary of all committees of the State Council, and further, he will act as Chairperson of the Examination Committee of the State Council. Rule 4 further provides that in case of an examination conducted by the State Council on a contract basis; the Commissioner shall be responsible for the design and organization to conduct the examination as per the terms and conditions approved by the Council. Therefore, in our view, the impugned order passed by the Commissioner cancelling the performance of the candidates cannot be said to be without any authority of law. The certificate declaring the result of the examination is signed by the Commissioner, and therefore, in our view, the Commissioner also has the power to recall such certificate and cancel the performance. It is settled position in law that power conferred to issue certificate would also include power to cancel if

such certificate was obtained by fraud.

115. The TET – 2019 examination was conducted by the Maharashtra State Council of Examination / Education on 19 January 2020. The task of conducting the examinations was outsourced to G.A. Software Company. The examination papers were in the form of Multiple-Choice Question (MCQ). The answer-sheets of the petitioners were scanned by Optical Memory Reading System (OMR). The petitioners were provided with the model answers and the answer-sheet attempted by them. The results were declared in August 2020 since in the interregnum i.e. from March 2020 to August 2020, there was lockdown in the country on account of COVID – 19.

116. Out of more than 3,37,333 candidates who appeared for examinations, approximately 16,000 candidates successfully cleared the test. These candidates included existing teachers who were required to pass the test for continuing in service. In addition, there were other candidates also who wanted to pursue their career as a teacher in future and teachers teaching in minority institutions, junior colleges etc. and, therefore, had to mandatorily appear and clear the said examination for taking job of teaching students of Standards I to VIII.

117. Around December, 2021 a communication was received from cyber police station, Pune to respondent no.2-Commissioner informing him about irregularities in TET exam for 2019-2020, which came to light while investigation into malpractices which crept in MHADA employment 2020 examination. Statements of candidates were recorded by the police authorities wherein there is admission of marks being tampered. In some of the statements, illegal gratification is also said to have been accepted. Respondent Nos. 1 to 4 immediately swung into action and filed an FIR against its officials and one Mr. Pritesh Deshmukh of G.A. Software Company. In the communication by the police to the respondent nos. 2, 3 and 4, it was informed that results of around 7,880 unqualified candidates were tampered with. A committee of six members was appointed by respondent no.3-Maharashtra State Examination Council for verification and revaluation of the digital records in the police station. This Committee prepared a report on the basis of data available with the cyber police station. The expert committee found results of 7,880 candidates having interfered with by tampering with the marks, fake mark sheet etc. While conducting the verification of these around 7,880 candidates, 15 clerks were deputed by the committee for verification of the marks. Pursuant to this report, the Maharashtra State Examination Council informed respondent No. 2-

Commissioner for cancellation of performance of these candidates and fixing punishment for the offence of malpractices in the examination. A resolution of the Council was passed on 11 May, 2022 in the special meeting for cancellation of performance of these candidates. Ultimately, the impugned order dated 3 August 2022 /communications were issued by the Commissioner of the Council cancelling the performance of these candidates and imposing penalty/punishment by way of permanently debarring them from appearing for the TET exams.

118. In our view, based on the above facts, it is a case of malpractices / irregularity in TET exam at a large scale since out of around 16,000 successful candidates, marks of approximately 50% candidates were tampered with. The respondent nos.1 to 4 immediately constituted expert committee of 6 members and with the support of other staff physically verified these irregularities and submitted a report, which came to be accepted and the results of these candidates were cancelled and they were permanently debarred. Since what was tampered with was only the marks and not answer-sheets, no expertise is required to do verification of marks of exam based on MCQ with marks printed on mark-sheets.

119. In the issues relating to conduct of examination and irregularities found therein at a large scale, this Court will restrain itself from interfering with the decision taken by expert body for cancellation of the results. The experts in the education field after verifying the records and after discussing amongst themselves have come to a conclusion that there has been irregularity in tampering of the marks of around 7,880 candidates. The action taken is based on the evidence which was verified by the Committee and its staff. Therefore, in our view, it cannot be said that there was no sufficient material for cancellation of the exam results.

120. In education matters and more particularly when it comes to the present examination which requires a teacher to qualify for teaching in Standards I to VIII, high standard need to be maintained by the authority conducting the exam and if such standards are compromised by anyone then the authority would be the apt to take the decision and to maintain the standard. We do not find any reason for interference in the cancellation of the results. Recently and very often malpractices in exams conducted for taking admission as a student or for getting employment has become very rampant and regular. Such practice has to be dealt with stern action so that there is deterrent in future for getting involved in such practices. Such

examinations are conducted to select the best candidates by ensuring competition with a fair play amongst the candidates. The authorities have segregated the tainted results based on the initial reports received by the police and subsequently verified by the committee and its staff.

121. When it comes to malpractices on such a large extent, the authorities are justified in cancelling the results of tainted candidates without giving any opportunity of hearing. In such cases, opportunity of hearing would not subserve the purpose and the justice need to be done. Looking to the fact that the marks have been admittedly altered as observed above giving opportunity of hearing for cancellation of results would have not made any difference and furthermore no prejudice caused is shown to us by not affording opportunity of hearing and more particularly when as observed by us above there has been admission of tampering of marks. It is also important to note that in the present case, the exams were held in January, 2020, the results were declared in August, 2020. Information of malpractice came to the knowledge of respondent nos. 1 to 4 in December, 2021 and thereafter expert committee was formed leading to cancellation of results. Admittedly, the original answer sheet with the agency G.A. Software who conducted the exam

have been destroyed as per the police report but the scanned copies are available with the respondents. The model answers and the answer-sheet attempted by the candidates both were furnished to the candidates in and around February 2020. Though petitioners may not have retained carbon copy of their answer sheets after declaration of results but the respondents have scanned copies of answer sheets attempted by the petitioners and counter signed by them. The irregularities happened by altering the actual marks with the marks printed on the mark-sheet. The respondents / expert committee has verified the scanned copies and thereafter gave a report based on which the results have been cancelled. Therefore, there is sufficient material as observed by us with the respondent Nos. 1 to 4 for concluding that actual marks obtained have been tampered with by printing different marks on the mark-sheet. For example, if the actual marks obtained is 64 the mark-sheet shows 82. Not a single petitioner has come before this Court with a stand that he is ready to show that he has secured marks shown in the final mark sheet which is proved to be tampered.

122. Therefore, in our view, the prayer made for quashing the impugned order/communication to the extent that the authorities have cancelled the results of the petitioners cannot be accepted and

the respondent nos.1 to 4 have rightly taken the decision of cancellation based on the recommendation made by the expert committee who after verifying the documents have come to a conclusion that there has been tampering with the marks of around 7880 candidates. None of the petitioners has prayed that whole of the examination should have been cancelled and such an argument across the bar cannot be considered. The successful candidates are also not made parties. Therefore, challenge is only qua cancellation.

123. The reference in the impugned order dated 03.08.2022 to Sections 7 and 8 of the Maharashtra Prevention of Malpractices at University, Board and Other Specified Examination Act, 1982 is in the context of these provisions having been invoked in the FIR lodged with the Police authorities. It is not correct to say that the impugned order is passed under Sections 7 and 8 of the 1982 Act. It is only to give background which led to the impugned order that there is a reference to the FIR in which these provisions have been quoted. Therefore, submission of the petitioners on this count to quash order, cannot be accepted.

124. The submission of the petitioners that cancellation of results would amount to punishment / penalty cannot be accepted. The respondents have only corrected the marks which they were

actually entitled to with the marks which were shown and tampered with on the mark-sheet and since unfair means were adopted the consequence was cancellation. In our view, this would amount to correction of the marks originally shown on the mark-sheet which were found to be incorrect because of the unfair means adopted by tampering the marks. By no stretch of imagination can it be treated as penalty but it amounts to correcting the marks originally shown on the mark-sheet with the correct marks post the inquiry and verification done by the respondent. Therefore, this contention cannot be accepted. The impugned action of cancellation of results is a remedial measure and therefore, cannot be construed as penal in nature.

125. The submission of the petitioners that order dated 3 August 2022 is a non-reasoned and non-speaking and, therefore, is required to be quashed cannot be accepted. In our view, the order does contain the reasons for cancellation of the results and imposing the penalty. The order refers to 11 documents starting from the year 2019 till 2022 which were considered before passing the order. Though these documents were not annexed to the order but in the reply of the respondents these documents have been annexed. Prior to filing of the petition, none of the petitioners had sought for these

documents. In the first paragraph of the order, there is a reference to FIR No. 56 of 2021 which was filed on account of malpractices conducted in TET-2019 exam. The second paragraph states that based on the said FIR, verification was done of answer papers of 7,880 candidates who were found to have tampered with the results. The third paragraph refers to the principle of segregation between tainted and untainted candidates. The fourth paragraph refers to the 1998 Act. The fifth paragraph refers to Resolution No. 350 dated 24 June 2022 passed by the Council and thereafter regarding each malpractice details are given. It is thereafter that the performance of 7,880 candidates have been cancelled. In our view, this order cannot be termed as unreasoned and non-speaking. The order does give the reasons for cancellation of the performance of 7880 candidates and the nature of malpractice used in tampering with the marks. Such orders which are required to be passed on emergency basis to instil public confidence in the system cannot be expected to run into hundreds of pages. It is sufficed if the basic malpractice is specified and the candidates whose performance are cancelled is mentioned along with reference to the Act and the documents leading to such an action. In our view, on a reading of the order dated 3 August 2022, it cannot be said to be a non-speaking or non-reasoned order.

126. Purity of any examination and more particularly pertaining to academic accomplishment or suitability of candidates for the post of teacher is unquestionable requirement of the rationality of any examination process. The authorities of the State have to take appropriate measures to maintain the purity of examination process. It is by now well settled principle of law that where there are allegations of occurrence of large-scale malpractices in the conduct of any examination process, the authorities are entitled to cancel the results of the tainted candidates. The authorities are not obliged to seek proof of each and every fact which vitiated the performance. The requirement of strict rules of evidence for the proof of facts would neither be consistent with the demands of larger public interest nor would be conducive to the efficiency of administration. In such cases, the principles of Wednesbury are required to be considered and larger latitude is to be given to the authorities who are in-charge of conducting the exam. In the instant case, there is more than adequate evidence of tampering of the marks and in such circumstance it cannot be said that the impugned action of the respondents are so outrageous in its defiance of logic or model standards. It is not necessary for the evidence on record to point to one and only conclusion which is that malpractice has taken place at a systematic level but same must be on the basis of preponderance of probability

that such malpractice has occurred. In the instant case, based on the comparison of the answer-sheet with the original marks and the marks which they were entitled to, in our view, this is not a case of no evidence but it is a case of sufficient evidence with the respondents coupled with admission as stated above for taking the impugned action.

127. In academic matters, the Court shall keep their hands off since the issues fall within the exclusive domain of the experts. The Court shall not preside in appeal over the opinion expressed by the expert academic bodies and it is wise and safe for the Court to leave the decision of academic experts who are familiar with the problem they face than the Court generally.

128. This Court has to test the prayers sought for by the petitioners by examining whether decision making process has been followed and this Court cannot examine the decision. The decision impugned in the present petition relates to cancellation of performance of candidates in the exam by order dated 3 August 2022. The Court has to examine what steps respondents have taken before passing the impugned order. On 16 December 2021, the Cyber Police, Pune informed Education Commissioner about malpractice having found in TET 2019 exam. Statements of the candidates were

recorded by the police authorities before 3 August 2022 order. On receipt of the said letter, on the same day the State informed the Council to investigate this issue on priority basis and to take appropriate action. The State also directed the Council to cooperate with the police in the investigation of the scam. The power to issue such a direction can be found in Section 26 of the 1998 Act. The Chairman of the Council immediately approached the police authorities and lodged an FIR No.56 of 2021. In the said FIR, based on the information received from the police authorities, details of the scam was narrated and the persons involved were named as accused. On 3 February 2022, cyber police addressed a letter to the Council in which the police authorities stated that they have found malpractice in the marks of 7,880 candidates out of around 3 lakh candidates who appeared for the exam. The police, therefore, requested the Council to verify the malpractice at their end by deputing necessary persons at the police station where the data was available. On 8 February 2022, the Council constituted a six-member Committee headed by Deputy Commissioner, Assistant Commissioner, Superintendent etc. to verify the data at the police station and make a report. The power to constitute such a committee can be traced to Section 18(2) and Section 23(1)(p) of the 1998 Act.

129. On 10 February 2022, the State directed the council to immediately examine the malpractice within 15 days and to take appropriate action. Again, this direction can be traced to Sections 23 to 26 of the 1998 Act. On 14 February 2022, the Committee gave its report to the Council, wherein the different types of malpractice found in verification of 7,880 answer-sheet was reported. On 11 May 2022, Council deliberated the issue after considering the above report. On 11 May 2022, a meeting was called off the Council which was attended by eight members who were high ranking officials and the resolution was passed with regard to the malpractice. On 25 May 2022, the resolution was placed before the appropriate Committee for action. On 10 June 2022, the State addressed a letter to the Council on the action to be taken on the malpractice and report the same. On 24 June 2022, Resolution No.350 was passed by the Council in regard to the malpractices which occurred in TET 2019 exam and ultimately on 3 August 2022, the impugned order was passed by the Commissioner of the Council cancelling the results. In our view, based on the above events, the petitioners cannot contend that the decision-making process was flawed. The sequence of events clearly shows that a detailed exercise was done by the respondents to maintain the purity of the examination before passing the impugned order on 3 of August 2022. It is not a case of decision in haste, but it

is a case of a decision after due verification and deliberation to maintain the standard of the examination.

130. In academic matters, where teachers have to be selected based on the results of competitive exam, one cannot take a hyper-technical view by contending that the respondents have no authority to pass the impugned order or the impugned order is passed by an authority having no jurisdiction. In any case, as observed by us above, there are sufficient powers granted under the 1998 Act with the respondents for passing the impugned order. Therefore, this Court does not find any fault in the decision-making process of the respondents in passing the impugned order.

131. The submission made by the petitioners that in the impugned order there is a reference to provisions by referring to the 1998 Act which does not find place in the said Act and, therefore, the impugned order is bad in law cannot be accepted. The impugned order refers to the 1998 Act and we have already analysed the said Act and have come to a conclusion that the powers have been rightly exercised in accordance with the various provisions of the Act. We do agree that there is a wrong reference to Section 8(2)(t). In our view, this refers to Regulation 8 of part II of Chapter V of 2010 Regulations which are formed under the 1998 Act. Therefore, though the name of

the regulation is not specified in the order but the Regulation does exist in which there is a reference to Regulation 8(2)(t). It is settled position that mere mentioning or an error in referring to a particular provision would not vitiate the order, if the source can be traced to the provision in the Act for exercising the power which, in the instant case as observed above, such power does exist in the Act itself. Therefore, contention raised on this count by the petitioners is required to be rejected.

132. On a harmonious reading of the 1998 Act and the 2010 Regulations, various committees formed under the Regulations have to recommend their views to the State Council and the Commissioner of the State Council has to finally act in accordance with his duties, which encompasses the conduct of the examination. The State Government, under Section 26 of the 1998 Act is the ultimate authority for giving directions and for the supervision and control of all the authorities under the Act and the Regulations. Therefore, the contention raised by the petitioners that the impugned orders are passed at the behest and direction of the State Government and not independently by the committees, cannot be accepted.

133. By GR dated 23 August 2013, State, pursuant to enactment of RTE Act, 2009 made TET compulsory. The State decided to

conduct TET twice a year. The said GR provided for 2 papers to be set-up and minimum marks required for declaring a candidate as successful was also specified. The TET passing certificate was also awarded by the State. It was decided that the task of conducting exam would be entrusted to Maharashtra State Examination Council on behalf of the State for a fee.

134. Pursuant to above, when malpractice was found in TET-2019 exam conducted by Council on behalf of the State, the school and sports department of the State instructed the Commissioner of the Council by letter dated 10 June 2022, to declare results of tainted candidates as "disqualified" and that of untainted candidates as "qualified". The State instructed Council to take action under 2010 Regulations for imposing penalty including permanent debarment. The list of candidates working with Zilla Parishad School was to be sent to concerned management for taking action in accordance with service conditions and pending said action to freeze Shalarth IDs and salary and further to terminate services after giving hearing.

135. In our view, directions in communication dated 10th June 2022 were issued by the State to the Council, since Council had conducted exam on behalf of the State. On a reading of this letter the Council was directed to take decision in accordance with law without

seeking approval of the State. This communication was not in terms to be interpreted that Council has to mandatorily do what was advised. It was in the nature of advisory. The source of power to issue such directions can be found in Section 26 of the 1998 Act which we have analysed in earlier part of our analysis. The object of 1998 Act is to regulate conduct of examinations in the State of Maharashtra. In our view, giving directions to the Council with regard to malpractice found in TET exam conducted by the Council on behalf of the State is an integral and incidental matter. This would also be in terms of Section 35(2) of the 1998 Act since such directions are consistent with 1998 Act which is enacted to regulate conduct of examination. Since we have traced the power to issue directions under the 1998 Act, submissions made by relying on 2010 Regulations to challenge the power is to be rejected. Regulations are to supplement the Act and not to override the Act. These directions cannot be compared to provisions in other Acts where one authority is statutorily empowering to act in a certain way without there being power to issue directions. In our view, the State would have failed to discharge its constitutional duties if such directions had not been given.

136. The power for constitution of Committee on 8 February 2022 by the State Council for verifying the documents of tampering

can be found under Sections 23(1)(p) and 23(1)(t) since finding out truth of malpractices committed in the conduct of exams conducted by the Council is for discharge of its such function of conducting exams and for the purpose of 1998 Act, which is to regulate exams. Therefore, no challenge can be assailed by the petitioners on this count. Merely because there is no examination committee, it cannot be accepted that the Council has no power to form other committee for investigation and preparing report of malpractice.

137. The submissions of the petitioners that it is Examination Committee under Regulation 13 of Chapter V of Part II of 2010 Regulations which should have cancelled the performance and have imposed the penalty cannot be accepted. Regulation 13 provides for duties and functions and not with powers of the Committee. The Regulation and 1998 Act makes a distinction between duties and powers. Furthermore, Regulation 13(2)(q) only provides the said Committee to make its report to the Standing Committee. If such duties cannot be exercised because of any reason then certainly State Council can step in to do the duties. Similarly, Regulation 12(2) provides for duties of Standing Committee and not powers. Similarly, Regulation 11(2)(i) provides for duties and functions of examination committee to recommend and not power to cancel results and impose

penalty. Regulation 8 dealing with Executive Committee is under the control of the State Council and Regulation 8(2) deals with its duties and does not empower them to cancel results and impose penalties.

138. Submission made by Mr. Pakale, learned senior counsel in rejoinder that in his case, reply has not been filed by the State and the Council and, therefore, is handicapped, is not acceptable. From day one, it was the understanding that the replies filed in Writ Petition No.9430 of 2022 will be treated as replies in all the matters. The learned senior counsel in his oral submission has relied upon the replies filed by the State and the Council in Writ Petition No.9430 of 2022. Therefore, it is not correct in rejoinder to submit that the petitioners are handicapped since no replies have been filed in their matters.

139. We appreciate the fair stand taken by the learned senior counsel Mr. Pakale that it is not his case, that the Council does not have power to cancel the performance. We appreciate the submission by Mr. Pakale made that the punitive action taken is without jurisdiction and it is this point which is being canvassed by him. We have dealt with the issue of punishment and the principle of natural justice separately.

140. The submission of Mr. Bandiwadekar, learned senior counsel that the petitions are not premature is required to be accepted. Though in communication dated 10 June 2022, the State was required to take certain steps before imposing the penalty or taking any punitive action, but by virtue of 3 August 2022 order, the respondent-State and Council cancelled the performance and permanently debarred the candidates from appearing in TET. The consequence of that would be that the candidates would not be eligible to continue in teaching job. Therefore, in our view, these petitions are not premature. The submission of Mr. Bandiwadekar that Section 23(1)(t) does not empower the State/Council to terminate Shalarth IDs and employment is not correct. The Shalarth IDs have not been terminated but has been frozen subject to disciplinary action being initiated against the teachers under the applicable law. The submission of Mr. Bandiwadekar that Government has not filed any reply in his petition and, therefore, is unable to make any submissions is also not acceptable. Similar submission made by Mr. Pakale has been rejected by us.

141. The submission of Mr. Sapkal, learned senior counsel that the decision in the case of ***Anjuman Ishaat-E-Taleem Trust (supra)*** applies to all the petitioners cannot be accepted. On a reading of

paragraphs 220 to 224 along with order passed in Review Petition, the benefit of extended time to clear TET exam is restricted only to the teachers who were duly appointed prior to introduction of TET being made compulsory. The benefit of this judgment cannot be availed by the persons who were not in service on the date when TET was made compulsory. In paragraph 224, the Hon'ble Supreme Court has categorically stated that those aspiring for appointment and those in service as teachers aspiring for appointment by promotion must qualify the TET or else they would have no right of consideration of their candidature. In ***Anjuman Ishaat-E-Taleem Trust (supra)*** order dated 29 May 2026 in paragraph 33, it is once again made clear that the time for in-service teachers to acquire TET qualification has been extended up to 31 August 2028. Therefore, the period extended by the Hon'ble Supreme Court cannot come to the rescue of the teachers who have been recruited after the date of TET being made compulsory.

142. The submission of learned counsel for the petitioner Mr. Bandiwadekar that the decision in the case of ***Nidhi Kaim (supra)*** cannot have any precedent value since there was a difference of opinion on the issue of the punishment which was referred to larger bench and till today it has not been decided is not correct. The

reference to larger bench of this decision has already been decided by the Hon'ble Supreme Court on 13 February 2017 and reported in *(2017) 4 SCC 1*.

143. Reliance placed on Government Resolution (GR) dated 23 August, 2013 and more particularly, Clause 5(12)(iv) by the petitioners, to submit that the action can be taken only against the Examination Council and not against the candidates who appeared for the exam, cannot be accepted. The context in which this GR was issued was that the responsibility of conducting TET exam was entrusted to the Maharashtra State Examination Council, and in that context, the responsibility is fixed on the said Council if any irregularities are found. The said Government Resolution nowhere states that the candidates whose results are tampered with will not face any action. In absence of any such specific clause in the said Government Resolution prohibiting any action against the candidates, reading such a restriction into the GR by the petitioners cannot be accepted.

144. The Hon'ble Supreme Court in the case of ***Anjuman Ishaat-E-Taleem Trust vs. The State of Maharashtra & Ors.***[53], while invoking Article 142 of the Constitution of India, has held that those teachers who were in service prior to the advent of the RTE Act, and have less

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than five years of service left as on the date of the judgment of the Hon'ble Supreme Court (1 September, 2025) and does not wish to seek promotion, may continue in service till the age of superannuation without qualifying the TET exam. However, such teachers would not be entitled to promotion, and if such teachers aspire for promotion, they will have to qualify TET. Therefore, the petitioners whose performance is cancelled by the respondents and who satisfy the conditions laid down by the Hon'ble Supreme Court will not be affected by our present order upholding cancellation of the performance of such candidates. However, that would not preclude the respondents from taking any penal action for having indulged in malpractices, subject to the respondents following the principles of natural justice.

145. In the instructions for the candidates on the reverse side of the admit card, it was specifically brought to the notice of the candidates that if the candidates engage in any malpractices then severe consequences would follow. Guidelines for conducting TET dated 11 February 2011, issued by the National Council for teachers education in paragraph 12 dealing with procedure to conduct the Test also states that serious view will be taken in case of any malpractice or impersonation. It is also important to note that none

of the petitioners have challenged the cancellation of the performance on the ground that marks when compared with model answers and the answer-sheet attempted by them and which were originally printed on the mark-sheet are the correct marks nor any petitioners have made a positive case on these lines in the present group of petitions. This would amount to admission of the petitioners that the marks originally allotted when compared with the answer-sheet and model answers has been admittedly tampered with.

146. In education scam matters and more particularly when it comes to scam in examination dealing with teachers' eligibility to teach children, the Constitutional Court would adopt the approach of upholding sanctity and purity of examination in case of malpractice on mass scale rather than getting swayed by challenge to the power of cancellation of performance. This is moreso when the candidates have by conduct before the Court by refusing to accept fair invitation virtually admitted the tampering the marks to which no submissions have been canvassed by any of the petitioners. Accepting challenge to cancellation by this Court would amount to failure of its duty to protect the Constitution of India which would be contrary to the oath taken by the Judges.

147. We have been guided for our view made above, by the Hon'ble Supreme Court while dealing with such situation of malpractice in examination right from the year 1954.

148. We propose to reproduce relevant paragraphs of the decisions of the Hon'ble Supreme Court which have guided this Court for coming to the above conclusion.

149. Therefore, in our view, walking on the path shown by the Hon'ble Supreme Court and applying the same to the present facts before us, as narrated above, we do not see any reason for interfering with the decision of respondent nos.1 to 4 insofar as it relates to cancellation of the exam results of the petitioners.

150. The earliest decision rendered by 5 Judge bench of the Hon'ble Supreme Court is in the case of ***Vice-Chanceller, Utkal University and Others vs. S. K. Ghosh and Others***[54]. Paragraph 17 of this judgment reads as under: -

> *"17. We are not prepared to perpetrate the error into which the learned High Court Judges permitted themselves to be led and examine the facts for ourselves as a court of appeal but in view of the strictures the High Court has made on the Vice-Chancellor and the Syndicate we are compelled to observe that we do not feel they are justified. The question was one of urgency and the Vice-Chancellor and the members of the Syndicate were well within their rights in exercising their discretion in the way they did. It may be that the matter could have been handled in some other way, as, for example, in the*

54 (1954) 1 SCC 44

manner the learned Judges indicate, but it is not the function of courts of law to substitute their wisdom and discretion for that of the persons to whose judgment the matter in question is entrusted by the law. The University authorities acted honestly as reasonable and responsible men confronted with an urgent situation are entitled to act. They had experts of their own on their body. They examined others who in their opinion might throw light on the incident. They themselves compared the two papers and, after a deliberation of some six hours, arrived at a unanimous decision and then they reviewed the matter afresh at a second meeting with the assistance of one of their member who was not present on the first occasion. It is inaccurate to describe that as haste and unjust to characterise their action as unreasonable and lacking due care. This is decidedly not the sort of case in which a mandamus ought to issue. We accordingly set aside the order of the High Court."

151. The issue again came up for consideration before the Constitution bench of 3 judges in the case of ***Bihar School Examination Board (supra).*** Chief Justice Hidayatullah observed in paragraphs 13 to 15 on behalf of the bench as under :-

"13. This is not a case of any particular individual who is being charged with adoption of unfair means but of the conduct of all the examinees or at least a vast majority of them at a particular centre. If it is not a question of charging any one individually with unfair means but to condemn the examination as ineffective for the purpose it was held. Must the Board give an opportunity to all the candidates to represent their cases? We think not. It was not necessary for the Board to give an opportunity to the candidates if the examinations as a whole were being cancelled. The Board had not charged any one with unfair means so that he could claim to defend himself. The examination was vitiated by adoption of unfair means on a mass scale. In these circumstances it would be wrong to insist that the Board must hold a detailed inquiry into the matter and examine each individual case to satisfy itself which of the candidates had

not adopted unfair means. The examination as a whole had to go.

14. Reliance was placed upon Ghanshyam Das Gupta case to which we referred earlier. There the examination results of three candidates were cancelled, and this Court held that they should have received an opportunity of explaining their conduct. It was said that even if the inquiry involved a large number of persons, the Committee should frame proper regulations for the conduct of such inquiries but not deny the opportunity. We do not think that that case has any application. Surely it was not intended that where the examination as a whole was vitiated, say by leakage of papers or by destruction of some of the answer books or by discovery of unfair means practised on a vast scale that an inquiry would be made giving a chance to every one appearing at that examination to have his say? What the Court intended to lay down was that if any particular person was to be proceeded against, he must have a proper chance to defend himself and this did not obviate the necessity of giving an opportunity even though the number of persons proceeded against was large. The Court was then not considering the right of an examining body to cancel its own examination when it was satisfied that the examination was not properly conducted or that in the conduct of the examination the majority of the examinees had not conducted themselves as they should have. To make such decisions depend upon a full-fledged judicial inquiry would hold up the functioning of such autonomous bodies as Universities and School Board. While we do not wish to whittle down the requirements of natural justice and fair-play in cases where such requirement may be said to arise, we do not want that this Court should be understood as having stated that an inquiry with a right to representation must always precede in every case, however different. The universities are responsible for their standards and the conduct of examinations. The essence of the examinations is that the worth of every person is appraised without any assistance from an outside source. If at a centre the whole body of students receive assistance and are managed to secure success in the neighbourhood of 100% when others at other centres are successful only at an average of 50%, it is obvious that the University or the Board must do something in the matter. It cannot hold a detailed quasi-judicial inquiry with a

right to its alumni to plead and lead evidence etc., before the results are withheld or the examinations cancelled. If there is sufficient material on which it can be demonstrated that the university was right in its conclusion that the examinations ought to be cancelled then academic standards require that the university's appreciation of the problem must be respected. It would not do for the Court to say that you should have examined all the candidates or even their representatives with a view to ascertaining whether they had received assistance or not. To do this would encourage indiscipline if not also perjury.

15. We are satisfied that no principle of natural justice was violated in this case. The Board through its Chairman and later itself reached the right conclusion that the examinations at this Centre had been vitiated by practising unfair means on a mass scale and the Board had every right to cancel the examination and order that a fresh examination be held. There was no need to give the examinees an opportunity of contesting this conclusion because the evidence in the case was perfectly plain and transparent. We therefore set aside the order of the High Court and ordered dismissal of the writ petition but made no order as to costs."

152. The next decision is in the case of ***Maharashtra State Board of Secondary and Higher Secondary Education vs. K. S. Gandhi and Others***[55]. Justice K. Ramaswamy on behalf of the bench observed in paragraphs 10, 29 and 37 observed as under :-

"10. The question then is whether the candidates or their parents or guardians are privy to the fraudulent fabrication. Since we are informed that investigation in this regard by the police is in progress, we refrain to express any final opinion in this regard. Suffice to state that the records clearly establish that there was a fraudulent fabrication of the moderators' marks sheets of 283 candidates including the respondents herein. The question, therefore, emerges whether the conclusion reached by the

55 (1991) 2 SCC 716

Standing Committee that the fabrication was done at the behest of either the candidate or the parents or the guardians to their advantage is based on records. We remind ourselves that while exercising the powers, under Article 226 or Article 136 of the Constitution, by the High Court or of this Court, we are not sitting as a court of appeal on the findings of facts recorded by the Standing Committee (domestic enquiry body), nor have power to evaluate the evidence as an appellate court and to come to its own conclusions. If the conclusions reached by the Board can be fairly supported by the evidence on record then the High Court or this Court has to uphold the decision, though as appellate court of facts, may be inclined to take a different view.

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29. In Ghazanfar Rashid v. Secretary, Board of High School and Intermediate Education, U.P. AIR 1979 All 209, a Full Bench, speaking through our learned brother K. N. Singh, J. (as he then was) dealing with the standard of proof of the charge of use of unfair means at the examination, it was held that it was the duty of the Examination Committee etc., to maintain purity of examination and if examinee is found to have used unfair means at the examination, it is the duty of the Examination Committee to take action against the erring examinees to maintain the educational standard. Direct evidence is available in some cases but in a large number of cases direct evidence is not available. In that situation the Examination Committee has of necessity to rely on circumstantial evidence which may include the answer given by the examinee, the report of the Superintendent of the centre, the invigilator and the report of the experts and other attending circumstances. The Examination Committee, if it relies upon such evidence to come to the conclusion that the examinee has used unfair means in answering questions than it is not open to the High Court to interfere with that decision, merely because the High Court may take a different view on reassessment of those circumstances. While it is open to the High Court to interfere with the order of the quasi-judicial authority, if it is not

supported by any evidence or if the order is passed in contravention of the statutory provisions of the law or in violation of the principles of natural justice, the court has no jurisdiction to quash the order merely on the ground that the evidence available on record is insufficient or inadequate or on the ground that different view could possibly be taken on the evidence available on the record. The Examination Committee has jurisdiction to take decision in the matter of use of unfair means not only on direct evidence but also on probabilities and circumstantial evidence. There is no scope for importing the principles of criminal trial while considering the probative value of probabilities and circumstantial evidence. The Examination Committee is not bound by technical rules of evidence and procedure as are applicable to courts. We respectfully agree with the ratio.

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37. It is thus well settled law that strict rules of the Evidence Act, and the standard of proof envisaged therein do not apply to departmental proceedings or domestic tribunal. It is open to the authorities to receive and place on record all the necessary, relevant, cogent and acceptable material facts though not proved strictly in conformity with the Evidence Act. The material must be germane and relevant to the facts in issue. In grave cases like forgery, fraud, conspiracy, misappropriation, etc. seldom direct evidence would be available. Only the circumstantial evidence would furnish the proof. In our considered view inference from the evidence and circumstances must be carefully distinguished from conjectures or speculation. The mind is prone to take pleasure to adapt circumstances to one another and even in straining them a little to force them to form parts of one connected whole. There must be evidence direct or circumstantial to deduce necessary inferences in proof of the facts in issue. There can be no inferences unless there are objective facts, direct or circumstantial from which to infer the

other fact which it is sought to establish. In some cases the other facts can be inferred, as much as is practical, as if they had been actually observed. In other cases the inferences do not go beyond reasonable probability. If there are no positive proved facts, oral, documentary or circumstantial from which the inferences can be made the method of inference fails and what is left is mere speculation or conjecture. Therefore, when an inference of proof that a fact in dispute has been held established there must be some material facts or circumstances on record from which such an inference could be drawn. The standard of proof is not proof beyond reasonable doubt "but" the preponderance of probabilities tending to draw an inference that the fact must be more probable. Standard of proof cannot be put in a straight - jacket formula. No mathematical formula could be laid on degree of proof. The probative value could be gauged from facts and circumstances in a given case. The standard of proof is the same both in civil cases and domestic enquiries.

153. In *Hanuman Prasad And Others vs. Union of India & Anr.*[56], the Hon'ble Supreme Court in paragraph 4 observed as under

"4. It is then contended that though the selected candidates have no vested right, they had got a legitimate expectation for appointment when they were selected for being appointed. They should be given prior opportunity and also know the reasons for cancellation. In support of this contention, he placed reliance on para 8 of the judgment of this Court in Asha Kaul v. State of J&K (1993) 2 SCC 573. It is unexceptionable that when duly constituted selection committee makes recommendation for appointment of the selected candidates the candidates do not get any vested right or legitimate expectation until they are appointed according to the Rules; they have a chance to be appointed as they have been selected by the recruitment agency. In that case, the Government had cancelled the select list without any reasons. This Court has laid the above rule in that backdrop. The ratio therein has no application for the reason that after the perusal of the report submitted by the investigating agency, the competent authority

56 (1996) 10 SCC 742

had cancelled the selection so that the regular and proper examination could be conducted giving opportunity to everyone in a fair manner. No prior opportunity need be given in the case of mass copying. It is not the case where a named candidate committed copying. Accordingly, we do not find any illegality in the order passed by the Tribunal."

154. In the case of *Ram Preeti Yadav vs. U.P. Board of High School and Intermediate Education and Others*[57] in paragraphs 20 and 21 it is observed as under :

"20. As regards the submission of the learned counsel to the effect that the first respondent should be directed to give an opportunity of hearing to Respondent 3 at this stage cannot be acceded to. As noticed hereinbefore, it is the positive case of the first respondent that an opportunity of hearing had been given to him by the first respondent. Secondly, in a case of mass copying the principles of natural justice need not be strictly complied with.

21. In Madhyamic Shiksha Mandal, M.P. v. Abhilash Shiksha Prasar Samiti (1998) 9 SCC 236 this Court observed: (SCC p. 237, para 2)

"In the face of this material, we do not see any justification in the High Court having interfered with the decision taken by the Board to treat the examination as cancelled. It is unfortunate that the student community resorts to such methods to succeed in examinations and then some of them come forward to contend that innocent students become victims of such misbehaviour of their companions. That cannot be helped. In such a situation the Board is left with no alternative but to cancel the examination. It is extremely difficult for the Board to identify the innocent students from those indulging in malpractices. One may feel sorry for the innocent students but one has to appreciate the situation in which the Board was placed and the alternatives that were available to it so far as this examination was concerned. It had no alternative but to

57 (2003) 8 SCC 311

cancel the results and we think, in the circumstances, they were justified in doing so. This should serve as a lesson to the students that such malpractices will not help them succeed in the examination and they may have to go through the drill once again. We also think that those in charge of the examinations should also take action against their supervisors/invigilators etc. who either permit such activity or become silent spectators thereto. If they feel insecure because of the strong-arm tactics of those who indulge in malpractices, the remedy is to secure the services of the uniformed personnel, if need be, and ensure that students do not indulge in such malpractices."

155. In the case of *Director (Studies), Dr. Ambedkar Institute of Hotel Management, Nutrition & Catering Technology, Chandigarh and Other vs. Vaibhav Singh Chauhan*[58], in paragraph 27 observed as under :-

"27. Before parting with this case, we would like to refer to the decisions of this Court which has repeatedly held that the High Court should not ordinarily interfere with the orders passed in educational matters by domestic tribunals set up by educational institutions vide Board of High School & Intermediate Education v. Bangleshwar Prasad; AIR 1966 SC 875 (vide AIR para 12), J. P. Kulshrestha (Dr.) v. Allahabad University (1980) 3 SCC 418 (Vide SCC para 17: AIR para17), Rajendra Prasad Mathur v. Karnataka University; AIR 1986 SC 1448 (vide SCC para 7: AIR para 7). We wish to reiterate the view taken in the above decisions, and further state that the High Courts should not ordinarily interfere with the functioning and orders of the educational authorities unless there is clear violation of some statutory rule or legal principle. Also, there must be strict purity in the examinations of educational institutions and no sympathy or leniency should be shown to candidates who resort to unfair means in the examinations."

58 (2009) 1 SCC 59

156. In the case of ***Nidhi Kaim (supra),*** the whole law on this subject was examined and the Hon'ble Supreme Court in paragraphs 22, 26, 39 (39.1 to 39.6) 42-42.1 to 42.4, 44, 50 and 51 observed as under:

> *22. The net result is that the entire exercise of holding PMT and regulating the admissions of students into the various medical colleges would be only an exercise of the executive powers of the State of Madhya Pradesh. If the third respondent Board is without any authority of law for taking the impugned action, it is equally without any authority of law to conduct the common entrance examination (PMT). Any admission based on the marks obtained at such common entrance examination would be equally without any authority of law in the sense of legislative sanction. Whatever be the legal implications of the exercise of such power vis-à-vis others (which we are not called upon to examine in these appeals), the appellants cannot be heard saying that the Board has no authority of law to take action against them because they had appeared for the said examination and taken the benefit of securing admissions into the various medical colleges on the basis of the marks obtained by them in the examination.*
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> *26. This Court in Bihar School Examination Board v. Subhas Chandra Singh, (1970) 1 SCC 648 laid down the principle that the rule of audi alteram partem need not be complied with in connection with the cancellation of examinations where it would be impracticable to apply the said principle. Adoption of unfair means on a large scale is one of them. This Court did not go by the percentage of the students who were alleged to have had resorted to the practice of unfair means. When this Court characterised the situation as practice of unfair means on a "large scale", it used the expression only to distinguish the situation from cases of practice of unfair means by one or two students. This Court has also held that there are other circumstances justifying the departure from complying with the audi alteram partem rule. They are leakage of question papers and destruction of a large number of answer papers. In my*

opinion, the examples given therein are not exhaustive of all the categories constituting exceptions to the application of the rule of audi alteram partem. Therefore, the percentage of the students who are alleged to have resorted to unfair means is irrelevant. Similarly, resorting to unfair means by a "large number of students" is not the only circumstance which justifies the non-compliance with the rule of audi alteram partem.

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39. Sinha Case judgment, in my view, yields the following principles :

39.1. Where there are allegations that students resorted to "unfair means on a large scale" at an examination, this Court would not insist upon registration of a formal complaint. Any reliable information suggesting the occurrence of such malpractice in the examination is sufficient to authorise the examining body to take action because examining bodies are "responsible for their standards and the conduct of examinations" and "the essence of the examination is that the worth of every person is appraised without any assistance from an outside source".

39.2. A lone circumstance could itself be sufficient in a given case for the examining body to record a conclusion that the students resorted to "unfair means on a large scale" in an examination. This Court approved the conclusion of the Bihar School Examination Board that the students had resorted to unfair means on a large scale in one examination centre and also approved the decision-making process of the Board on the basis of circumstantial evidence. The lone circumstance that the

success rate of the students who appeared for the examination from the centre in question is too high in comparison to other centres.

39.3. In such cases, the examining body need not hold "a detailed quasi-judicial inquiry with a right to its alumni to plead and lead evidence, etc." and the examining body's "appreciation of the problem must be respected."

39.4. To insist on the observance of the principles of natural justice i.e. giving notice to each student and holding enquiry before cancelling the examination in such cases would "hold up the functioning" of the educational institutions which are responsible for maintenance of the standards of education, and "encourage indiscipline, if not, also perjury".

39.5. Compliance with the rule of audi alteram partem is not necessary not only in the cases of employment of "unfair means on large scale" but also situations where there is a "leakage of papers" or "destruction of some of the answer books", etc.

39.6. This Court drew a distinction between action against an individual student on the ground that the student had resorted to unfair means in the examination and the cancellation of the examination on the whole (or with reference to a group of students) because the process itself is vitiated.

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42. From an analysis of the above decisions, the following principles emerge:

42.1. Normally, the rule of audi alteram partem must be scrupulously followed in the case of the cancellation of the examinations of students on the ground that they had resorted to unfair means (copying) at the examinations.

42.2. But the abovementioned principle is not applicable to the cases where unfair means were adopted by a relatively large number of students and also to certain other situations where either the examination process is vitiated or for reasons beyond the control of both students and the examining body, it would be unfair or impracticable to continue the examination process to insist upon the compliance with audi alteram partem rule.

42.3. The fact that unfair means were adopted by students at an examination could be established by circumstantial evidence.

42.4. The scope of judicial review of the decision of an examining body is very limited. If there is some reasonable material before the body to come to the conclusion that unfair means were adopted by the students on a large scale, neither such conclusion nor the evidence forming the basis thereof could be subjected to scrutiny on the principles governing the assessment of evidence in a criminal court.

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44. In the light of the principles of law emerging from scrutiny of the abovementioned judgments, we are of the opinion that the case on hand can fall within the category of exceptions to the rule of audi alteram partem if there is reliable material to come to the conclusion that the examination process is vitiated. That leads me to the next question whether the material relied upon by the Board for reaching the conclusion that the examination process was contaminated insofar as the appellants (and also some more students) are concerned and the appellants are the beneficiaries of such contaminated process, is tenable?

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50. Even otherwise, in my opinion, it would be futile to pursue the inquiry in this regard. Assuming for the sake of argument that the submission of the appellants is right and there are some cases (of the appellants) where the appellants can demonstrate (if an opportunity is given to them) that the circumstantial evidence is not foolproof and therefore, the impugned order must be set aside on the ground of failure of natural justice, the Board would still be entitled (in fact it would be obliged in view of the allegation of systematic tampering with the examination process year after year) in law to conduct afresh enquiry after giving notice to each of the appellants. That would mean spending enormous time both by the Board and by the appellants for the enquiry and the

consequential (inevitable) litigation regarding the correctness of the eventual decision of the Board.

51. For the abovementioned reasons, I do not propose to interfere with the impugned judgment on the count that the rule of audi alteram partem was not complied with by the respondents before cancelling the admissions of the appellants herein.

157. The following paragraphs of the decision in the case of *Baishakhi Bhattacharyya (Chatterjee) (supra)* are relevant :-

2. The appellants before us are the selectees, some of whom have been working for over five years. They fall into two categories:

(i) selectees with purported evidence and material indicating wrongdoing, and

(ii) other selectees who claim that they were validly selected and have committed no wrongdoing.

The State of West Bengal and WBSSC have also challenged the impugned judgment.

3. The respondents before us are the writ petitioners who have succeeded before the High Court at Calcutta. Central Bureau of Investigation (hereinafter "CBI") which had carried out the investigation pursuant to the directions given by the High Court at Calcutta is also arraigned as a respondent. [Diary No. 21281 of 2024, SLPs (C) Nos. 16643-45, 18366, 11721, 14331, 22110, 25078 of 2024, etc.]

4. The implicated selectees have challenged the judgment [Baishakhi Bhattacharyya (Chatterjee) v. State of W.B., 2024 SCC OnLine Cal 3862] on the following main grounds: First, that the evidence against them is weak, unproven and inadmissible. Second, they were punished without an inquiry, violating the principles of natural justice. Third, while they were charge-sheeted, they have not been convicted and should be treated as innocent. The other selectees, the State of West Bengal, and WBSSC argue that the High Court erred by annulling the entire selection process based on CBI report and should have only cancelled the appointments of those found guilty, leaving the other appointments intact.

35. The following principles emerge from the aforesaid discussion:

(i) When an in-depth factual inquiry reveals systemic irregularities, such as malaise or fraud, that undermine the integrity of the entire

selection process, the result should be cancelled in its entirety. However, if and when possible, segregation of tainted and untainted candidates should be done in consonance with fairness and equity.

(ii) The decision to cancel the selection en masse must be based on the satisfaction derived from sufficient material collected through a fair and thorough investigation. It is not necessary for the material collected to conclusively prove malpractice beyond a reasonable doubt. The standard of evidence should be reasonable certainty of systemic malaise. The probability test is applicable.

(iii) Despite the inconvenience caused to untainted candidates, when broad and deep manipulation in the selection process is proven, due weightage has to be given to maintaining the purity of the selection process.

(iv) Individual notice and hearing may not be necessary in all cases for practical reasons when the facts establish that the entire selection process is vitiated with illegalities at a large scale.

59. It is also submitted by the tainted candidates that the certificate under Section 65-B of the Evidence Act, 1872 (hereinafter "the Evidence Act") is inadmissible and thus, the said data is unreliable. In our opinion, the issues of authenticity of the data viz. the mismatch between the datasets and the admissibility of the certificate under Section 65-B of the Evidence Act, need not be decided in these proceedings, as it falls under the purview of the criminal court. However, suffice it to state that the Evidence Act does not strictly apply to the proceedings in a writ court, and the decision is rendered based on the evidence and material on record. Further, the issue involved in the present case is different and one relating to the purity and sanctity of the selection process. Therefore, the Court can rely upon the contradictory pleas taken by the tainted and the untainted candidates. In the given facts and circumstances, the failure of WBSSC to keep scanned/mirror copies of the OMR sheets assumes great importance.

60. Further, it is clear that there is a discrepancy between the scanned OMR sheets recovered from the three hard disks in Pankaj Bansal's possession and the marks recorded in WBSSC's computer/records. This discrepancy has been acknowledged and accepted by WBSSC.

61. The claim that the data on the three hard disks shows no interpolation and is consistent with the data in M/s Data Scantech Solutions' computers fails to account for significant gaps and discrepancies. These issues, highlighted in both the impugned judgment and our findings, clearly point to large-scale manipulation and tampering with results, including rank-jumping, discrepancies in

marks, the issuance of appointment letters to candidates not on the panel, and appointments made beyond the panel's validity period.

65. We have already partially addressed the plea of failure to adhere to the principles of natural justice while examining the applicable case law. It is also important to emphasise that, in this case, public notices were issued, and the candidates/applicants/petitioners were afforded the opportunity to inspect the data and present their arguments. In light of the facts of this case, we are of the opinion that the principles of natural justice cannot be invoked to validate the fraud that has occurred. These principles are not rigid or inflexible; rather, they must be applied with due regard to the specific facts and circumstances at hand.

158. The Hon'ble Supreme Court in the case of ***Central Information Commission (supra)*** was concerned with the provisions under the RTI Act which are akin to Section 23(1)(t) and other provisions of the 1998 Act and the relevant paragraphs are as under :-

17. The absence of an explicit provision for Benches does not negate the CIC's authority to constitute them, as such powers are implicitly included within the scope of the CIC's general superintendence and management responsibilities. The broad language of the RTI Act indicates an intention to grant the CIC comprehensive authority to ensure the effective and efficient functioning of the Commission. The Delhi High Court's narrow reading of the provisions overlooked the inherent powers of the CIC to manage the affairs of the Commission. The RTI Act's broad language suggests that the legislative intent was to provide the CIC with the necessary authority to implement measures that ensure the Commission's effective operation.

18. In the present case, the RTI Act should be interpreted purposively, taking into account the broader objectives of the legislation. The purpose of the RTI Act is to promote transparency and accountability in the functioning of public authorities, ensuring citizens' right to information. To achieve these objectives effectively, it is essential that the Central Information Commission operates efficiently and without undue procedural constraints. The principle of purposive interpretation supports the view that the CIC's powers under Section 12(4) of the RTI Act include all necessary measures to manage and

direct the Commission's affairs effectively. This includes the ability to form Benches to handle the increasing volume of cases. The formation of Benches allows for the efficient allocation of work and ensures the timely disposal of cases, which is crucial for upholding the right to information.

19. Furthermore, the High Court's reliance on the absence of explicit provisions for Benches overlooks the broad language of Sections 12(4) and 15(4) of the RTI Act, which grants the CIC and State Chief Information Commissioners wide-ranging powers to manage their respective Commissions' affairs. The legislative intent, as reflected by the broad language of these provisions, was to provide these officials with the necessary authority to ensure that their Commissions function effectively and efficiently. These provisions explicitly use the words "superintendence, direction and management" of the affairs of the Commission. There have been various landmark judgments of this Court which have interpreted the words "superintendence, direction, and control" occurring in Article 324(1) of the Constitution in respect of the Election Commission.

22. Therefore, the use of the words "superintendence, direction and management" in Sections 12(4) and 15(4) of the RTI Act clearly provides the CIC an ambit of power wide enough to frame its own Regulations and to delegate its power to a committee formed by it. The Central Information Commission, utilising these broad powers, has enacted "the Central Information Commission (Management) Regulations, 2007". While the RTI Act does not explicitly grant CIC the authority to frame Regulations, the overarching powers granted under Section 12(4) of the RTI Act inherently include the ability to manage the Commission's affairs effectively. These Regulations are essential tools for ensuring the efficient administration and operation of the Commission, addressing various procedural and managerial aspects necessary for fulfilling its mandate. Focusing narrowly on the nomenclature and the absence of an explicit provision for regulation-making within the RTI Act would undermine the broader purpose and intent of the same. The nomenclature used to describe these Regulations should not detract from their necessity and their role in facilitating the Commission's functioning. A purposive interpretation of Section 12(4) of the RTI Act reveals that the powers of "superintendence, direction and management" are intended to be comprehensive, enabling the CIC to adopt measures, including the framing of Regulations, that ensure transparency, accountability, and efficient handling of its responsibilities. Thus, the creation of these Regulations is not only justified but crucial for the CIC to manage its workload and operational demands effectively, thereby serving the

core objectives of the RTI Act.

159. In *Ansar Afzal Munniwale & Anr vs. State of Maharashtra & Ors.*[59]. Paragraph 6 reads as under :-

> *6. The opposition of the State that those candidates involved in examination scams should not be allowed to participate in the process of selection of teachers raises a broader issue which goes beyond statutory qualifications. Teachers play a crucial role in shaping young, impressionable minds. They not only impart academic knowledge, but instill fundamental values of morality, ethics, and civic sense. These values are the very foundation of an orderly society. When an individual engages in cheating in an examination or in a fraudulent scheme such conduct may demonstrate a lack of moral conviction and an absence of the essential value system required to nurture and educate future citizens. When such a person seeks a teaching position, it raises serious concerns. This aspect is especially important when writ jurisdiction is invoked. Broad societal considerations are also relevant when a petitioner calls a superior court to exercise its writ jurisdiction. The mere absence of a legal embargo for a course of action does not necessarily mean that relief under writ jurisdiction should automatically be extended in favour of the petitioner. Writ jurisdiction is a discretionary remedy. The superior court can refuse to extend its equity jurisdiction in a given case. There is a distinction between legal qualifications and the broader moral and ethical implications of appointing individuals who may lack the integrity necessary to fulfill the responsibilities of a teacher. The impact on society, especially on young minds, has to be at the forefront of any judicial consideration. There is one more angle to the issue. It is common knowledge that there are a large number of applicants and limited posts, and there is competition for the posts. Therefore, the candidates who are not tainted can make a grievance that they have been asked to unfairly compete with those who are tainted.*

160. In *State of Maharashtra vs. Prabhu (supra)*, the Hon'ble Supreme Court in paragraph 4 observed as under :-

> *4. Even assuming that the construction placed by the High Court and vehemently defended by the learned counsel for respondent is correct*

59 Writ Petition No.9826 of 2024 dtd. 06.09.2026

should the High Court have interfered with the order of Government in exercise of its equity jurisdiction. The distinction between writs issued as a matter of right such as habeas corpus and those issued in exercise of discretion such as certiorari and mandamus are well known and explained in countless decisions given by this Court and English Courts. It is not necessary to recount them. The High Courts exercise control over Government functioning and ensure obedience of rules and law by enforcing proper, fair and just performance of duty. Where the Government or any authority passes an order which is contrary to rules or law it becomes amenable to correction by the courts in exercise of writ jurisdiction. But one of the principles inherent in it is that the exercise of power should be for the sake of justice. One of the yardstick for it is if the quashing of the order results in greater harm to the society then the court may restrain from exercising the power.

161. In *Bhaskar Laxman Jadhav & Ors. vs. Karamveer Kakasaheb Wagh Education Society & Ors. (supra)*, the Hon'ble Supreme Court in paragraphs 46 and 47 observed as under :-

46. More recently, in Ramjas Foundation v. Union of India [(2010) 14 SCC 38 : (2011) 4 SCC (Civ) 889] the case law on the subject was discussed. It was held that if a litigant does not come to the court with clean hands, he is not entitled to be heard and indeed, such a person is not entitled to any relief from any judicial forum. It was said: (SCC p. 51, para 21)

"21. The principle that a person who does not come to the court with clean hands is not entitled to be heard on the merits of his grievance and, in any case, such person is not entitled to any relief is applicable not only to the petitions filed under Articles 32, 226 and 136 of the Constitution but also to the cases instituted in others courts and judicial forums. The object underlying the principle is that every court is not only entitled but is duty-bound to protect itself from unscrupulous litigants who do not have any respect for truth and who try to pollute the stream of justice by resorting to falsehood or by making misstatement or by suppressing facts which have a bearing on adjudication of the issue(s) arising in the case."

47. A mere reference to the order dated 2-5-2003, en passant, in the order dated 24-7-2006 does not serve the requirement of disclosure. It is not for the court to look into every word of the pleadings,

documents and annexures to fish out a fact. It is for the litigant to come upfront and clean with all material facts and then, on the basis of the submissions made by the learned counsel, leave it to the court to determine whether or not a particular fact is relevant for arriving at a decision. Unfortunately, the petitioners have not done this and must suffer the consequence thereof.

162. In the case of ***State of UP vs. Maharaja Dharmander Prasad Singh***[60], Hon'ble Supreme Court in paragraphs 53 and 54 observed as under :-

53. It is erroneous to equate the powers under Sections 14 and 15 of the Act with judicial power which, in the absence of express provisions, could not enable the review of a judicial order after its exercise on the principle of functus officio. In Sardul Singh v. District Food and Supplies Controller, Patiala [Writ Petition No. 126 of 1962, decided on 19-12-1962] a statutory order, promulgated under Section 3 of the Essential Commodities Act, 1955, contained a provision enabling the cancellation of a "permit" under certain circumstances. The contention was that Section 3 of the parent "Act" itself did not delegate to the subordinate legislative authority to make such a provision for cancellation and, therefore, the provision for cancellation in the subordinate legislature was ultra vires. There was no provision in the Act expressly conferring the power to make a provision for cancellation of the permit. Section 3(2)(d) of the parent Act merely enabled the Government to make orders "for regulating by licences, permits or otherwise, the storage, transport, distribution, disposal, acquisition, use or consumption of any essential commodity" and Section 3(2)(j) merely enabled Government to make orders for incidental and supplementary matters (emphasis supplied). The question arose whether provisions for cancellation of the permits envisaged in para 10 of the particular statutory order could be said to be relatable to or justified as a matter incidental or supplementary to regulation. This Court held that the power to cancel was an "incidental and supplementary" matter. It was held:

> *"If a trade in an essential commodity like coal is to be regulated by licences or permits, it is obvious that the power to grant licences or permits must include the power to cancel or suspend such licences or permits as an 'incidental or supplementary matter'; otherwise,*

60 (1989) 2 SCC 505

the very purpose of Section 3 of the Act would be frustrated."

54. Indeed, the submissions of Shri Thakur on the point contemplate the exercise of the power to cancel or revoke the permission in three distinct situations. The first is where the grant is itself vitiated by fraud or misrepresentation on the part of the grantee at the time of obtaining the grant. To the second situation belong the class of cases where the grantee, after the grant violates the essential terms and conditions subject to which the grant is made. In these two areas, the power to grant must be held to include the power to revoke or cancel the permit, even in the absence of any other express statutory provisions in that behalf. There must, of course be the compliance with the requirements of natural justice and the grounds must be such as would justify such drastic action. This cancellation is a preventive step. The one aspect of the remedial measures is set out in Section 27 of the Act. There may be cases of third kind where the grant may be voidable at the instance of the Development Authority or otherwise entitling the Development Authority to initiate appropriate declaratory or other action to get rid of the effect of the permission.

163. The Hon'ble Supreme Court in the case of ***Sakiri Vasu vs. State of Uttar Pradesh & Ors.***[61] in paragraph 18 observed as under :-

18. It is well settled that when a power is given to an authority to do something it includes such incidental or implied powers which would ensure the proper doing of that thing. In other words, when any power is expressly granted by the statute, there is impliedly included in the grant, even without special mention, every power and every control the denial of which would render the grant itself ineffective. Thus where an Act confers jurisdiction it impliedly also grants the power of doing all such acts or employ such means as are essentially necessary for its execution.

164. In ***Budhia Swain & Ors. vs. Gopinath Deb & Ors.***[62] in paragraphs 8 and 9 observed as under :-

8. In our opinion a tribunal or a court may recall an order earlier made by it if

61 (2008) 2 SCC 409
62 (1999) 4 SCC 396

(i) the proceedings culminating into an order suffer from the inherent lack of jurisdiction and such lack of jurisdiction is patent,

(ii) there exists fraud or collusion in obtaining the judgment,

(iii) there has been a mistake of the court prejudicing a party, or

(iv) a judgment was rendered in ignorance of the fact that a necessary party had not been served at all or had died and the estate was not represented.

The power to recall a judgment will not be exercised when the ground for reopening the proceedings or vacating the judgment was available to be pleaded in the original action but was not done or where a proper remedy in some other proceeding such as by way of appeal or revision was available but was not availed. The right to seek vacation of a judgment may be lost by waiver, estoppel or acquiescence.

9. A distinction has to be drawn between lack of jurisdiction and a mere error in exercise of jurisdiction. The former strikes at the very root of the exercise and want of jurisdiction may vitiate the proceedings rendering them and the orders passed therein a nullity. A mere error in exercise of jurisdiction does not vitiate the legality and validity of the proceedings and the order passed thereon unless set aside in the manner known to law by laying a challenge subject to the law of limitation. In Hira Lal Patni v. Kali Nath [AIR 1962 SC 199] it was held:

"The validity of a decree can be challenged in execution proceedings only on the ground that the court which passed the decree was lacking in inherent jurisdiction in the sense that it could not have seisin of the case because the subject-matter was wholly foreign to its jurisdiction or that the defendant was dead at the time the suit had been instituted or decree passed, or some such other ground which could have the effect of rendering the court entirely lacking in jurisdiction in respect of the subject-matter of the suit or over the parties to it."

Issue No. 2 :

Whether respondents - State and Maharashtra Council of Examination / Education were justified in permanently debarring the petitioners from appearing for TET examination without following the principles of natural justice ?

165. Commissioner of the Maharashtra State Examination Council in his order dated 3 August 2022 has cancelled the results of around 7,880 candidates without issuing show cause notice to them. It was further ordered that these candidates would be permanently debarred from appearing in the TET exams. Admittedly and undisputedly before debarring these candidates permanently, no show cause notice was issued to enable these candidates to give "their say" on the proposed permanent debarment. Therefore, the question arises whether such a punishment / penalty of permanently debarring an individual to appear for TET exams could have been ordered / passed without giving any show cause notice. There is no dispute amongst the parties and also based on reading of various correspondences between the State and the Council that permanent debarring is nothing but a penalty / punishment as a deterrent measure to avoid any occurrence of such events in future.

166. It is settled law that principle of natural justice has to be followed by all the authorities before passing order imposing penalty / punishment unless the case falls in the exceptions to make out a ground for denial of the opportunity of hearing. Even if provision does not contemplate of hearing same should be read into it when it comes to imposing punishment / penalty. The present case, in our view, does not fall within the exception to deny pre-decisional hearing insofar as penalty / punishment is concerned. It is not a case of national security or having grave repercussions which could not have waited till the punitive action is taken by complying with the principles of natural justice. The issue of punishment / penalty, in our view, should have been considered by the respondents after following basic principles of natural justice which are applicable before imposing any punishment / penalty. The respondents have not made out any case or submissions on imposing penalty / punishment without giving any hearing. This issue stands on a different footing than issue relating to cancellation of results which we have already dealt with in earlier paragraphs.

167. The Rule of *Audi Alteram Partem* was first applied in human history in the Garden of Eden.

> *"I remember to have heard it observed by a very learned man upon such an occasion, that even God himself did not pass*

> *sentence upon Adam, before he was called upon to make his defence. "Adam, says God, where art thou? Hast thou not eaten of the tree, whereof I commanded thee that thou shouldst not eat?' And the same question was put to Eve also."*

168. Right to fair hearing is a basic constitutional right given to the citizens of this country for defending themselves against any proposed action of punishment or penalty. In our country, where Rule of Law prevails even a foreign terrorist who had killed innocent people in front of everyone was given final punishment only after a fair trial of hearing right up to the highest Court and by following due process of law. Even in criminal trial, after conviction is ordered, separate hearing is accorded to the convict on sentence of punishment. In our view, present proceedings being civil proceedings would stand on high pedestal and the punishment / penalty could not have been imposed without giving hearing by one stroke of pen.

169. In the instant case, respondents should have given the petitioners, before permanently debarring them, a fair pre-decisional hearing so that the principle of natural justice could have been complied with. In our view, respondents have not made out any case for not complying with the basic principles of natural justice before permanently debarring the petitioners. By the impugned punishment / penalty rights of the candidates have been permanently taken away without giving them any hearing on the quantum of punishment,

which action of non-compliance of natural justice, in our view is very harsh, unfair and unreasonable.

170. The basic principles which are required to be followed before imposing any punishment / penalty is to issue show cause notice to the person against whom action is sought to be taken and to specifically bring to his notice the allegations and the provisions under which the proposed action is sought to be taken. After the issuance of such a show cause notice, the noticee is required to be given sufficient time to file his submissions / say to the proposed action. The noticee is then required to file his objections / submissions / say and seek, if required, personal hearing. The authority issuing a notice should give a personal hearing and also consider the say of the noticee and thereafter pass a speaking order either dropping the show cause notice or imposing punishment / penalty. Such an order should consider all the submissions of the noticee and also the reasons for rejecting such submissions and for imposing penalty / punishment.

171. In our view, basic principles narrated above have been given a go-by and totally disregarded by the respondents before imposing a punishment of permanently debarring the petitioners from appearing for TET exams. In our view, therefore, the impugned

orders / communications to the extent it permanently debars petitioners from appearing for TET exams without following the basic principles of natural justice and the procedure prescribed above is unfair, unreasonable and unconstitutional.

172. The imposition of a penalty / punishment by an administrative authority is governed by two distinct but related sets of requirements:

(A) procedural requirements that govern how the authority must arrive at its decision and

(B) substantive requirements that govern what the decision may contain including quantum, proportionality etc.

A penalty order that satisfies (B) but violates (A) is void for breach of natural justice and a penalty order that satisfies (A) but violates (B) is liable to be struck down as disproportionate or unreasoned. Both limbs must be satisfied. In our view, both these basic requirements have not been satisfied in the instant case nor any case is made out for giving a go-by. We are conscious of the malpractice committed by none other than teachers but still it cannot be a ground of non-complying with natural justice even if the malpractice is admitted, at least for imposing penalty / punishment.

173. Following five sequential steps should be followed before imposing a penalty / punishment :-

(i) The person must be told with reasonable particularity what is alleged against him ;

(ii) Any evidence, enquiry report or document, the authority intends to use against the person must be shown to him ;

(iii) Written or oral opportunity to explain / define should be given to the noticee. Such opportunity must be a genuine hearing and not an empty formality ;

(iv) The decision-maker should be unbiased ; and

(v) The order of penalty should be a reasoned and speaking order which can be tested in appeal / judicial review.

The above steps have been culled out based on the following decisions :-

(a) Canara Bank & Ors. vs Debasis Das & Ors.[63]

(b) Maneka Gandhi vs. Union of India[64] *and*

(c) Attorney General vs. Thomas d'Arcy Ryan[65]

174. Even an administrative power imposing penalty / punishment should be exercised by following principles of natural justice. The right of a man to be given a fair opportunity of hearing of what is alleged against him and of presenting his own case is so fundamental to any civilised legal system that it is to be presumed that the legislature intended that a failure to observe it would render null and void any decision reached in breach of this requirement. The

63 2003 SCC OnLine SC 378
64 1978 SCC OnLine SC 25
65 [1980] 2 W.L.R. 143

administrative body should act fairly towards the persons who will be affected by their decisions.

175. In the instant case, in addition to no opportunity of hearing being given to the petitioners before permanently debarring, it is relevant to note that none of these petitioners have been made accused in any criminal proceedings initiated on account of the alleged TET scam. However, we are shown statements of certain candidates recorded by the police authorities wherein they have admitted of their marks having tampered with and also in some cases monetary gratification has been admitted. The persons whose names appear in FIR / charge-sheet have been accorded fair hearing while deciding their bail applications but the petitioners who have been punished were not given fair pre-decisional hearing. This also leads us to come to a conclusion that principles of natural justice ought to have been followed. The sheer number of candidates cannot be a ground to deny fair hearing when it comes to imposing penalty / punishment of permanent debarment.

176. In the impugned communication dated 10 June 2022 issued by respondent No.1-State to respondent no.3 – Commissioner of Council, it was directed that action should be taken for cancellation of the candidates performance, permanently debarring

them from appearing for TET exams or to impose appropriate penalties in accordance with law and no approval of the Government would be required. In our view, such a drastic directions by the State to the Commissioner without following principles of natural justice severely affects the livelihood of these candidates and thereby violates fundamental rights granted by the Constitution of India. Such a procedure is unconstitutional and unreasonable since basic principles of natural justice of giving opportunity of hearing to these petitioners have not been followed. The said impugned communication nowhere directs the authorities not to follow principles of natural justice but it only states governments approval is not required.

177. In the above impugned communication, respondent-State has also directed the Commissioner that Shalarth ID of the candidates working in Zilla Parishad, aided / partially aided / unaided schools should be frozen and action should be taken to withhold their salary and for terminating their services and further direct the management to pass formal orders in this regard after following due process. As per the said communication, management / respondents were to take action by giving hearing pending freezing of salary but on account of interim orders, inquiry could not be proceeded with. In our view, no

relief can be accorded on this count till the inquiry is completed against teachers in service. Further freezing of salary and Shalarth ID pending inquiry cannot be treated as final penalty / punishment.

178. In the impugned order dated 3rd August 2022, there is a reference to the earlier communication of the State dated 10th June 2022 and the results of the petitioners were cancelled. In addition to the cancellation, the petitioners were permanently debarred from appearing in future TET exam. Even in this order, there is no reference of the basic principles of natural justice having been followed before permanently debarring the petitioners from appearing TET exams. In our view, even this order is contrary to basic principles of natural justice and is unconstitutional in so far as penalty / punishment is concerned. We make it clear that it is not our suggestion that such penalty should not have been levied but the process adopted for levying the penalty is what we have not approved of.

179. Similar issue had come up for consideration before the Patna High Court in the case of ***Prabhash Kumar vs. State of Bihar & Ors***[66]. This was also a case of teachers' competitive examination held in which certain malpractices were found to have occurred and the petitioners were permanently debarred from appearing in the

66 Civil Writ Petition No. 7615 of 2024 dated 17.04.2025

examination on the ground that they had indulged in impersonation in the examination. The Patna High Court in paragraph no. 18, quashed such order on the ground of breach of principle of natural justice as the petitioner was not given any opportunity to explain his side of the case when the order of permanently debarring was communicated to the petitioner which would adversely affect the petitioner. The relevant paragraph no. 18 reads as under :-

> *"After hearing the learned counsel for the parties, the Court is in complete agreement with the submissions made by the learned counsel appearing on behalf of the petitioner that the impugned notice and the memo have been issued in complete breach of the principles of natural justice, as the petitioner was not given any opportunity to explain his side of the case when the impugned notice and memo are having severe penal consequences as the petitioner has been debarred from appearing in any future examinations and the said debarment has been communicated to various Commissions across the country, which is adversely affecting the petitioner as he is not in a position to appear in any of the examinations conducted by any of the Commissions across the country. The Court is completely dissatisfied with the plea of the Commission taken in the counter-affidavit and completely fails to appreciate the stand of the BPSC that merely based on an information by an agency, the aforesaid notice and the memo were issued behind the back of the petitioner."*
>
> **(emphasis supplied)**

180. In our view, this judgment supports the case of the petitioners that the impugned order imposing permanent debarment on the petitioners from appearing in the TET examination without giving any hearing is bad in law.

181. In the case of ***Dr. Manik Bhattacharya V. Ramesh Malik and others***[67], President of the Board of Primary Education was removed on account of illegalities which occurred in recruitment process of teachers through TET examination. In paragraph 15, the Hon'ble Supreme Court has observed that the order of removal of the President of the Board was flawed since requirements of procedural fairness which are necessary to direct removal of a person from a public post were not followed. The Hon'ble Supreme Court was of the view that the principles of natural justice should have been followed before removing the President. In the present case also, decision of imposing punishment by permanently debarring the petitioners from appearing for future TET examinations is flawed since admittedly, principles of natural justice are not followed.

182. One of the submissions made by the petitioners that, pending the present petitions, some of the teachers have qualified by clearing CTET / TAIT or they were not required to take TET exam for any other reason but still appeared and therefore, penalty should not be imposed. In our view, the contention that merely because a candidate has cleared CTET / TAIT pending the petition, or was not required to clear the TET exam for any reason, but has appeared in the exam, and therefore no penal action should be taken against

67 (2022) 17 SCC 781,

them, cannot be accepted. The issue is not whether a person who appeared for the examination was required to clear the examination. The issue is whether such a candidate has indulged in malpractice. This issue may be relevant for deciding quantum of punishment but it cannot be a ground to submit that no penal action can be taken. The penalty / punishment is for having committed malpractice and not whether he exams though not required.

183. Merely because the person was not required to appear for the exam but still has appeared, and his result is cancelled on the ground of malpractice, cannot be a ground for not initiating penal action. However, we have already quashed the punishment of permanent debarment on ground of natural justice however, with liberty to the respondents to take appropriate action in accordance with law, if they so desire, and all candidates can raise all permissible contentions before the competent authority to defend themselves against any proposed penal action.

184. The petitioners have raised various arguments on the issue of penalty / punishment. However, we do not wish to express any opinion on these submissions since we have set-aside the punishment / penalty only on the ground that no hearing has been given by the authorities before imposing the penalty / punishment. Therefore, all

the contentions of the petitioners are kept open to be agitated in penalty proceedings, if initiated by the respondents.

185. We, therefore, set aside the penalty / punishment of permanent debarment with liberty to respondents-State / Council to initiate proceedings for imposing punishment / penalty in accordance with law and after following principles of natural justice.

186. Now we propose to deal with decisions relied upon by the parties.

187. <u>Consideration of decisions relied upon by the petitioners</u> :-

i. The decision in the case of ***Ghanshyam Das Gupta (supra),*** is distinguishable on facts. In that case, the performance of only three students was cancelled and they were debarred from appearing in the examination of 1955. It was in this context of three students that the Hon'ble Supreme Court had quashed the order cancelling the results and debarring them on the ground of natural justice. Much water has flown after this decision and the Hon'ble Supreme Court has time and again till recently observed that in case of malpractices adopted on mass scale in the examination, principle of natural justice need not be followed. Furthermore, in the case of ***Ghanshyam Das Gupta*** **(*supra*)**, performance of only three students was

cancelled whereas, in the instant case, performance of 7,880 candidates has been cancelled. In the present case, tampering was done by altering the marks on a large scale. It is also important to note that it was petitioners' last attempt to clear the examination and as observed above, petitioners' have impliedly accepted the tampering by not coming forward to verify the marks as per the answer sheet with those printed on mark sheet. Therefore, in our view, this decision cannot be of any assistance for quashing the order of cancellation of performance. However, it does support the case of the petitioners that before imposing punishment of permanent debarment, principles of natural justice were required to be followed.

ii. The decision in the case of ***Tata Cellular* (*supra*),** has laid down the scope of the judicial review by empowering the Court to examine the decision-making process. However, the parameters laid down therein have to be applied based on the facts before the Court. The case of ***Tata Cellular (supra)*** was a case of commercial tender whereas in the instant case, mass malpractices have been adopted in the case of 7,880 candidates' performance. The parameters required for deciding the malpractices in examination and that too in the

examination which qualifies a person to become eligible as a teacher, has to be evaluated on different parameters and moreso when there is implied admission of tampering and, therefore, the guidelines laid down by the decision in the case of ***Tata Cellular (supra)***, cannot be applied to the facts of the present case by adopting straitjacket formula. The Hon'ble Supreme Court in the case of ***Gohil Vishvaraj Hanubhai (Supra),*** and Delhi High Court in the case of ***Preeti Bhardwaj & Others vs. Delhi Skill and Entrepreneurship University & Others***[68]***,*** and Uttaranchal High Court in ***Ashish Bisht & Another vs. State of Uttarakhand & Others***[69]***,*** had an occasion to consider the decision of ***Tata Cellular (supra)*** while deciding the issue of malpractices in examination and after considering the said decision have restrained from interfering in the examination matters.

iii. In the case of ***Shaikh Akbar Nabilal (supra)*** Shalarth IDs and salary were frozen without following the procedure laid down by Government Resolution dated 10 June 2022. The issue before the Kolhapur Circuit Bench was not whether the TET examination performance was cancelled. Once the

68 2025 SCC OnLine Del 5542
69 2020 SCC OnLine Utt 610

performance of a candidate appearing in TET examination is cancelled then the consequential order of freezing the salary and Shalarth IDs pending enquiry need not follow the principles of natural justice as per the Government Resolution dated 10 June 2022. The said Government Resolution dealt with issue of Shalarth ID obtained by fraud, etc. and cancellation thereof with which we are not concerned. The issue before us is cancellation of TET results which impliedly have been admitted by the petitioners. Therefore, this decision cannot be of any assistance to the petitioners and cannot be made applicable in the light of facts of present case.

iv. The decision in the case of ***Chandrika Jha (supra)*** was relied upon by the petitioners for the submission that higher authority cannot issue direction to the lower authority for passing the orders in a particular way. Based on admission of petitioners tampering reliance placed on this decision before the Constitutional Court is misconceived. In our view, this decision would also not be of any assistance since the State had only directed the Council to examine the malpractice and take appropriate actions for imposing the penalty and also consider for permanent debarment. The State did not direct the Council to pass an order permanently debarring the tainted

candidates. In any case, insofar as the penalty is concerned, we have quashed on the ground of principle of natural justice and therefore, this decision would not be of any assistance to the petitioners. Insofar as cancellation of result is concerned, we have already observed that there was sufficient material to cancel the result by the authority who had issued the passing certificate namely the Commissioner of the Council which we have held is empowered to cancel the results.

v. The decision in the case of ***Vijay Singh (Supra)*** has been relied upon the issue of penalty being permanent debarring the petitioners from appearing in the exam. We have quashed the punishment on the ground of natural justice and therefore, the occasion does not arise for this Court to consider the said decision.

vi. The decision in the case of ***Joint Action Committee of Air Line Pilots' Associations of India (ALPAI) (Supra)*** has been relied upon by the petitioners for the proposition that the authority which has been conferred with competence under statute alone can pass the order. In the instant case, the order dated 3 August 2022 has been passed by the Commissioner of the Maharashtra State Examination Council based on the recommendation made by the Committee. Even though the

Executive Committee was not in existence, the issue was examined by the Committee and a resolution was passed prescribing the penalty which was forwarded to the State Council and the Commissioner who is the top most officer of the Council passed the order. Even if executive committee have been in existence the said Committee had to give its recommendation to the State Council and the State Council through the Commissioner would have passed the appropriate order. In any case, we have observed that order is passed by appropriate authority to cancel the passing certificate and more particularly when the petitioners have accepted tampering as observed by us. Therefore, in our view the said decision cannot be made applicable to the facts of the present case.

vii. In the case of ***Dr. M. S. Mudhol (Supra)***, the petitioners relied upon the observations made by the Hon'ble Supreme Court in the said case to the effect that if the Director of education has illegally approved the appointment, although the candidate did not have the requisite academic qualification and such a person held a post for almost 12 years it would be inadvisable to disturb him from the said post. In our view, this decision cannot be of any assistance to the facts of the present case,

wherein performance of 7,880 candidates have been tampered with and cancellation is done within few months of scam and within 1-½ year of the exam. If this decision is applied, then it would be giving seal of approval to the candidates who have admitted marks having tampered with. This Court cannot be a party to such approval and therefore this decision cannot be made applicable to the facts of the present case. This Court based on present facts would not invoke its equitable jurisdiction to condone such malpractice.

viii. The decision in the case of ***Pandurang Kanekar (supra)*** has been relied on principle of natural justice. On the issue of penalty, we have quashed permanent debarring on the ground of natural justice. However, the said principle for the reasons stated above cannot be applicable for the cancellation of performance of the candidates whose names appeared in regard to tampering of the marks and who have admitted the guilt.

ix. Mr. Pakale, learned senior counsel has relied upon more than 17 decisions. These decisions are not applicable to the facts of the present case. These decisions either deal with punishment under service law or cancellation of result of one or a few students or does not deal with cases of mass alteration of

marks. There is no dispute on following of principles of natural justice but same as observed by various decisions of the Hon'ble Supreme Court do not apply to cancellation of results / exams due to large scale malpractice and furthermore we have held that petitioners have admitted tampering. Therefore, these decisions cannot take the case of the petitioners any further.

x. The decision relied upon by the petitioner in the case of ***Hina Kausar Mohammad Riyaz (Supra)*** does not assist the petitioners except in support of their submissions that they were held eligible to appear for CTET and TAIT exams. To the same effect is the decision in the case of ***Pandharinath Kanojia (supra)***. On the contrary, in ***Kanojia's*** case ***(supra)*** an undertaking is directed to be furnished by the petitioners that if in future they are convicted in the TET exam scam, they would be removed from employment though statement was made by the AGP that petitioners' names do not figure in TET exam results scam related to FIR.

xi. The decision in the case of ***Sagar Dattatray Chorghe (supra)*** expressly in paragraph 18 records that candidates appearing in TET exam results scam would not be *ipso facto* covered by the view taken in that judgment. In ***Sagar Dattatray's*** case ***(supra)***

the High Court followed decision of the Hon'ble Supreme Court in the case of ***Anjuman Ishaat-E-Taleem Trust (supra)*** giving relaxation for clearing TET exam to person covered by said decision namely in-service on date of introduction of TET.

xii. The petitioners have also relied upon the ***Nidhi Kaim (supra)*** and ***Anjuman Ishaat-E-Taleem Trust (supra).*** We have already considered the said decision in delivering the present judgment as to its applicability in the light of the fact that petitioners have admitted tampering and there is enough material to cancel the results.

188. <u>Consideration of decisions relied upon by the respondents</u> :-

i. Mr. Hon, learned senior counsel for the respondents relied upon decision in the cases of ***N. Tripura Sundaridevi (supra)***, ***Madhulika Guruprasad Dahri (supra)*** and ***Smriti Madan Kansagra (supra)*** for the proposition that appointments obtained by fraud have to be viewed seriously and should be followed by termination of such appointments. There can be no dispute that fraud vitiates everything. In the instant case, the respondents would be at liberty to take appropriate proceedings as per the law against the teachers who are in service on the basis of the malpractice and their role. Today, this Court is not concerned with termination of teachers but

only issue involved before us is whether the respondents were justified in cancelling the results and imposing the penalty. We have already expressed our views with regard to cancellation of the result by upholding the same and by giving liberty to the respondents for initiating penalty proceedings in accordance with law. Therefore, to that extent, these judgements may not be of any help. Furthermore, this Court cannot go into the question of whether and to what extent the petitioners are involved in the malpractice. However, the original results obtained by tampering with marks certainly cannot be sustained and which we have upheld.

ii. The second line of decisions relied upon by the respondents in the cases of ***Dharampal Satyapal Limited (supra)***, ***Sudhir Kumar Singh (supra)*** and ***M. Bhaskaran (supra)*** deals with natural justice. We have already given our views that in case of malpractice the principle of natural justice cannot be followed when it comes to cancellation of the results of tainted candidates in mass. However, these decisions cannot be of any assistance to the respondents for justifying permanently debarring the candidates without giving hearing. None of these decisions lays down the law that such a punishment can be imposed without complying with the principle of natural

justice. Therefore, to that extent, these decisions cannot be of any assistance when it comes to justification for imposing punishment / penalty contrary to the principles of natural justice.

iii. The decision in the case of ***Association of Medical Superspeciality Aspirants and Residents (supra)*** would not be applicable since we have already held that the authority who had issued certificate has the power to cancel the same and further, we have also observed that impugned action has been exercised in accordance with powers conferred by the 1998 Act. However, if the submission of the petitioners are to be accepted that there is no Act which empowers the respondents to take the impugned action then certainly Article 162 of the Constitution of India would come to the rescue of the State for justifying the impugned action.

iv. The decision in the case of ***Ashok Sadarangani (supra)*** relied upon by the respondents with regard to the effect of the decision in the case of ***Nidhi Kaim (supra)*** being referred to a Larger Bench is pending supports the submission made by the respondents that pending reference it does not lose its precedential value. In the case of ***Nidhi Kaim (supra)*** only difference of opinion between learned two Judges was with

respect to the consequence to follow after having agreed to a conclusion that the degrees were obtained by malpractice. However, there was no difference of opinion on merits with regard to malpractice having practiced by the candidates. Therefore, the ratio of the decision in the case of ***Nidhi Kaim (supra)*** rendered by the learned two Judges of the Hon'ble Supreme Court is a binding precedent. We have upheld the cancellation of results. However, with respect to penalty since we have set aside on the ground of natural justice, we do not express any opinion on the said issue. In any case, the reference to larger Bench has also been answered in 2017 itself and the Hon'ble Supreme Court refused to grant relief under Article 142 of the Constitution of India and cancelled the degrees obtained by the doctors.

v. The decision in the case of ***Central Information Commission (supra)*** supports the submission made by the respondents with regard to the power of superintendence direction and management conferred on the State and the Council by the Act. In our view, on the basis of Sections 14, 18, 23 and 26 of the 1998 Act, the State and the Council have enough powers which has been rightly exercised while passing the impugned order/ communication.

vi. The decision in the case of ***Mahatma Gandhi Commissioner (supra)*** relied upon by the respondents does support their submission that if the source exist but same is not mentioned in the impugned order or communication or wrongly mentioned then the order cannot be vitiated and we have come to a conclusion that powers to cancel the results can be traced to 1998 Act.

vii. Mr. Nikam, advocate for respondent-Council has relied upon various decision. However, the decisions in the case of ***Feyaz Ahmed Malik & Ors. (supra), Gohil Vishvaraj Hanubhai (supra)*** and ***Biswa Ranjan Sahoo (supra)*** supports cancellation of results without hearing in case of mass malpractice and non-interference by Court in such matters. Other decisions are distinguishable on facts and do not deal with punishment without hearing.

189. Before parting, we may observe that such a situation of malpractices in examination for getting admission in the educational institutes, securing jobs etc. arises for various reasons. The competition is so fierce that for few opportunities, number of people chasing are in mass. The seats available in the education institutes are few compared to demand, unemployment is high, etc. People to get admission and jobs go to any extent but unfair means adopted

does not justify the end though this Court is quite conscious about the situation prevailing around where limited resources are chased by unlimited individuals. There is a need for introspection amongst all the stakeholders of this country for rectifying this situation to avoid any major catastrophe which would hamper the standard of our great institutions and also to create more opportunities for the youth so that the talent is used for nation building to make *Vikasit Bharat* and not for indulging in malpractices.

190. We end by reminding ourself of a letter from Abraham Lincoln to his son's teacher which reflects true qualities a teacher should embrace while teaching young children :-

> *My son starts school today. … … …*
>
> *So dear Teacher, will you please take him by his hand and teach him things he will have to know, teaching him – but gently, if you can. Teach him that for every enemy, there is a friend. He will have to know that all men are not just, that all men are not true. But … … ….*
>
> *Teach him if you can that 10 cents earned is of far more value than a dollar found. In school, teacher, it is far more honorable to fail than to cheat. Teach him to learn how to gracefully lose, and enjoy winning when he does win.*
>
> *Teach him to be gentle with people, tough with tough people. Steer him away from envy if you can and teach him the secret of quiet laughter. Teach him if you can – how to laugh when he is sad, teach him there is no shame in tears. Teach him there can be glory in failure and despair in success. Teach him to scoff at cynics.*
>
> *Teach him if you can the wonders of books, but also give time*

to ponder the extreme mystery of birds in the sky, bees in the sun and flowers on a green hill. Teach him to have faith in his own ideas, even if every one tell him they are wrong.

Try to give my son the strength not to follow the crowd when everyone else is doing it. Teach him to listen to every one, but teach him also to filters all that he hears on a screen of truth and take only the good that comes through.

Teach him to sell his talents and brains to the highest bidder but never to put a price tag on his heart and soul. Let him have the courage to be impatient, let him have the patient to be brave. Teach him to have sublime faith in himself, because then he will always have sublime faith in mankind, in God.

This is the order, teacher but see what best you can do. He is such a nice little boy and he is my son.

191. In view of above, we pass following order :-

ORDER

(i) Action of respondents to cancel results of TET – 2018 and TET – 2019 exams of the petitioners is upheld;

(ii) Action of respondents to debar petitioners permanently from appearing in TET exams is set-aside on the ground of breach of natural justice and on that count being unreasonable.

(iii) However, respondents are at liberty to initiate fresh action against all petitioners for imposing punishment / penalty after complying with principles of natural justice and in accordance with law. Such action, if taken, to be completed on or before 31 December 2027 ;

(iv) Writ Petition Nos.10879 of 2022, 9512 of 2022 and 9760 of 2023 are dismissed for suppression of material facts. Further, the Council and the State are directed to identify the candidates whose statements were recorded by the police prior to the date of the impugned order dated 3 August 2022 and who have filed the petitions but have not disclosed the said fact. Insofar as these candidates are concerned, they would not be entitled to any benefit under this order. The impugned order dated 3 August 2022 passed against them are confirmed in toto.

(v) Petitioners who are in-service on date of introduction of TET and who wish to clear TET exam may do so in accordance with the decision of the Hon'ble Supreme Court in the case of ***Anjuman Ishaat-E-Taleem Trust and others (supra)*** dated 29 May 2026;

(vi) Order freezing salary and Shalarth ID of the teachers in-service on the date of TET being made compulsory to continue and if these teachers do not clear TET exams as per timeline granted by the Hon'ble Supreme Court in the case of ***Anjuman's*** case ***(supra),*** then their services may be terminated. Inquiry against these teachers to be initiated and completed on or before 31 December 2027, in

accordance with applicable law as per the terms and conditions of service. Respondents to intimate the same to the employers of these petitioners of the present order.

(vii) If petitioners have cleared other exams like CTET, TAIT, etc. to qualify as teacher then cancellation of TET – 2018 and TET – 2019 results will not come in their way in continuing with the job of teaching but the penal action, if the State initiates, would not be protected and said action can go on. However, if clearing TET exam is pre-condition for acquiring another qualification then the present decision will not be applicable.

(viii) The candidates who were recruited after the introduction of TET and whose performance has been cancelled by the impugned order are not covered by the extension of time granted by the Hon'ble Supreme Court in the case of ***Anjuman Ishaat-E-Taleem Trust and others (supra).*** However, since they were protected by interim orders passed by this Court, the said protection will continue for a period of 8 weeks from today.

(ix) All contentions of all the parties are kept open insofar as penalty / punishment proceedings are concerned, if initiated in future and merely because cancellation of result

is upheld, same would not come in the way of the petitioners and the respondents in the adjudication of the penalty proceedings.

(x) It is made clear that present judgment and order is restricted to only those candidates who have challenged the action before the Court and not to those who have accepted the orders of the respondents.

192. All petitions are disposed of. No order as to costs.

193. Rule is made absolute in above terms.

194. All pending Civil Applications, if any, are disposed of.

[JITENDRA JAIN]
JUDGE

[KISHORE C. SANT]
JUDGE

Jhs / Sayyed