

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE**

WRIT PETITION (STAMP) NO.627 OF 2020

Sarika Arjun Khedekar & Others

... Petitioners

Vs

The State of Maharashtra
through Secretary, Department of Education
and Sports and others

... Respondents

WITH
WRIT PETITION (STAMP) NO.631 OF 2020
WITH
WRIT PETITION (STAMP) NO.630 OF 2020
WITH
WRIT PETITION (STAMP) NO.636 OF 2020
WITH
WRIT PETITION (STAMP) NO.635 OF 2020
WITH
WRIT PETITION (STAMP) NO.639 OF 2020
WITH
WRIT PETITION (STAMP) NO.640 OF 2020
WITH
WRIT PETITION (STAMP) NO.628 OF 2020
WITH
WRIT PETITION (STAMP) NO.730 OF 2020
WITH
WRIT PETITION (STAMP) NO.729 OF 2020
WITH
WRIT PETITION (STAMP) NO.755 OF 2020
WITH
WRIT PETITION (STAMP) NO.749 OF 2020
WITH
WRIT PETITION (STAMP) NO.752 OF 2020
WITH
WRIT PETITION (STAMP) NO.742 OF 2020
WITH

**WRIT PETITION (STAMP) NO.747 OF 2020
WITH
WRIT PETITION (STAMP) NO.725 OF 2020
WITH
WRIT PETITION (STAMP) NO.746 OF 2020
WITH
WRIT PETITION (STAMP) NO.719 OF 2020
WITH
WRIT PETITION (STAMP) NO.753 OF 2020
WITH
WRIT PETITION (STAMP) NO.750 OF 2020
WITH
WRIT PETITION (STAMP) NO.754 OF 2020
WITH
WRIT PETITION (STAMP) NO.743 OF 2020
WITH
WRIT PETITION (STAMP) NO.720 OF 2020
WITH
WRIT PETITION (STAMP) NO.925 OF 2020
WITH
WRIT PETITION (STAMP) NO.932 OF 2020
WITH
WRIT PETITION (STAMP) NO.938 OF 2020
WITH
WRIT PETITION (STAMP) NO.937 OF 2020
WITH
WRIT PETITION (STAMP) NO.933 OF 2020
WITH
WRIT PETITION (STAMP) NO.940 OF 2020
WITH
WRIT PETITION (STAMP) NO.941 OF 2020
WITH
WRIT PETITION (STAMP) NO.930 OF 2020
WITH
WRIT PETITION (STAMP) NO.927 OF 2020
WITH
WRIT PETITION (STAMP) NO.979 OF 2020
WITH
WRIT PETITION (STAMP) NO.1011 OF 2020
WITH
WRIT PETITION (STAMP) NO.1012 OF 2020**

**WITH
WRIT PETITION (STAMP) NO.1028 OF 2020
(NOT ON BOARD)**

**WITH
WRIT PETITION (STAMP) NO.1161 OF 2020
(NOT ON BOARD)**

**AND
WRIT PETITION (STAMP) NO.1163 OF 2020
(NOT ON BOARD)**

Mr.S.S. Pakale with Mr.Saurabh Pakale and Mr.Dnyaneshwar Kale
i/b Shankar Katkar for the Petitioners

Mr.B.V. Samant, AGP, for Respondent – State

**CORAM: S.C. DHARMADHIKARI &
R.I. CHAGLA, JJ.**

DATED: JANUARY 20, 2020

P.C.:

1. Heard.
2. Leave to amend to implead Union of India through the Department of Human Resources Development as a party respondent.
3. Issue notice to the respondents, returnable on 10th February, 2020.

4. Learned AGP accepts notice and waives service for Respondent – State. The Registry shall issue notice to Respondent Nos.2 to 8.

5. In addition, the Counsel for the petitioners shall also supply the e-mail address of Respondent Nos.2 to 8 so that in addition to the usual mode, notice can be given by the Registry by e-mail.

6. Our attention has been invited to the orders passed by the Benches of this Court at Aurangabad and Nagpur. One such order has been passed on 13th February, 2019. A copy of that order passed in Writ Petition No.7146 of 2018 is at page 56 of the paperbook of Writ Petition No.627 of 2020. We direct the Managements not to terminate the services of the petitioners in the above Writ Petitions for not clearing the Teacher's Eligibility Test.

7. In addition, Mr.Pakale would submit that if these teachers are not paid their monthly salaries, then, they would not be able to derive any benefit of this interim order. Merely protecting the services would not be enough for the teachers, who are teaching the subjects at the concerned school. The teachers will have to be paid salaries.

8. Although we find that the services of the petitioners are protected by us, in the event their services are not already terminated, then, pending further orders on these petitions, let the monthly salaries be released by the concerned Zilla Parishads. The concerned Chief Executive Officers of the Zilla Parishads shall ensure that such salaries are released by directing Pay section of their Zilla Parishads.

9. To be placed on the Supplementary Board on 10th February, 2020.

(R.I. CHAGLA, J.)

(S.C. DHARMADHIKARI, J.)