

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

922 WRIT PETITION NO.1156 OF 2021

SHALIGRAM RUKHA VALVI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

923 WRIT PETITION NO.1157 OF 2021

MANDAKINI KESHAV VALVI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

925 WRIT PETITION NO.1159 OF 2021

VINOD SONUSING MALI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

931 WRIT PETITION NO.1165 OF 2021

PRAVIN GORAKHNATH AHIRE AND OTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

936 WRIT PETITION NO.1170 OF 2021

CHETAN BHATULAL MALI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

937 WRIT PETITION NO.1184 OF 2021

NITIN DATTATRAYA DEORE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

WRIT PETITION NO.1299 OF 2020

SUNIL JAYSING VASAVE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. N L Choudhari
AGPS for Respondents : Mr. P. S. Patil Mrs. V. S. Chaudhari, Mrs P. V.
Diggkar

CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.

DATE : 21st January, 2021

ORDER:

1. Mr. Chaudhari, the learned Advocate for the petitioners submits that the petitioners are similarly situated as the petitioners in Writ petition No. 5867/2015 and other connected writ petitions, decided under judgment and order dated 31.10.2018.
2. Respective learned AGPs, upon going through the said judgment and the petition, affirms that the petitioners are similarly situated as the petitioners in writ petition No. 5867/2015 with connected writ petitions decided under judgment and order dated 31.10.2018.
3. It is further submitted that the said judgment is confirmed by the Apex Court. The SLP preferred by the State Government bearing Diary No.12338/2020 is dismissed on 20th August,2020. The Apex Court has further observed that those who are appointed and regularized as primary teacher shall acquire TET qualification within five years, in default, the State Government shall terminate their services.
4. In the light of above, we follow the same course and pass following order as is passed in Writ petition No.5867/2015.

ORDER

- (i) The respondents shall regularize the services of the petitioners who have completed ten years of service with effect

from the date they have completed ten years or the date of filing of writ petition whichever is later.

(ii) Those petitioners who are terminated after completion of ten years of service during the pendency of the writ petition shall be reinstated and shall be granted regularization from the date they have filed the petition or after completion of ten years of service whichever is later.

(iii) For all practical purposes the services of the petitioners shall be considered regular from the date as observed above. However, we may not grant them actual financial benefit for the period prior to the present order. They will be entitled for the regular pay scale from 01.01.2018.

(iv) The respondents shall count the services of the petitioners from their date of appointment continuously for counting ten years of their service.

(v) The petitioners appointed and regularized as primary teachers shall acquire the TET qualification within five years, in default, the State Government shall terminate their services.

5. Writ petitions disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC