

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

WRIT PETITION NO.6515 OF 2023

Kalyan Revanappa Rodge

... **PETITIONER**

VERSUS

1. The State of Maharashtra
through its Secretary,
School Education Department
Mantralaya, Mumbai – 32.
2. The Deputy Director of Education,
Aurangabad Division, Aurangabad
3. The Education Officer (Primary)
Zilla Parishad, Aurangabad
4. The Superintendent, Zilla Parishad
Pay and Provident Fund Unit (Primary),
Aurangabad Tq. & District Aurangabad.
5. Anand Ashram Nakshatrawadi
Aurangabad, Dist. Aurangabad
through its Secretary.
6. Anand Vidhya Dham Nakshatrawadi,
Aurangabad, Dist. Aurangabad
through its Head Master

... **RESPONDENTS**

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Advocate for Petitioner : Mr. V.S. Panpatte

AGP for Respondent/State : Mr. A.A. Jagatkar

Advocate for Respondent Nos.3 and 4 : Mr. V.C. Patil h/f. Mr. U.B. Bondar

Advocate for Respondent Nos.5 and 6 : Mr. R.R. Bangar

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**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, J.J.**

DATE : 10.07.2023

PER COURT :

Heard the learned advocate for the petitioner, learned AGP and the learned advocate Mr. V.C. Patil holding for Mr. Bondar who appears for respondent Nos.3 and 4 - Zilla Parishad.

2. The petitioner who has been serving as assistant teacher with the respondent No.6 - School being run by respondent No.5 - Management is aggrieved by the impugned communication whereby proposal forwarded by the School for including his name in the Shalarth Pranali and allotment of ID for disbursement of the salary has been turned down by the impugned communication dated 07.03.2019 by referring to the Government Resolution dated 24.08.2018 for the reasons that he was supposed to clear the Teachers' Eligibility Test (TET examination) before 30.03.2019 but did not do so.

3. We have heard both the sides who are unanimous that the issue as to the efficacy and legality of the Government Resolution dated 24.08.2018 is a subject matter which is pending before the Supreme Court where the teachers are aggrieved by the decision of this Court and a *status quo* has been ordered.

4. In similar fact situation in several matters this Court has granted interim reliefs subject to the final outcome of the matters before the Supreme Court. In Writ Petition No.3675/2022 by the order dated 21.03.2022 and several other matters, the respondents were directed to include the names of the petitioners in Shalarth Pranali to disburse the salary. When the petitioner has subsequently cleared C.T.E.T., we are also inclined to grant the same relief.

5. The writ petition is allowed. The impugned order is quashed and set aside. The respondent No.2 shall take immediate steps for allotment

of Shalarth ID and respondent Nos.3 and 4 shall take immediate steps to disburse the salary regularly. However, it is made clear that this relief would be subject to the final outcome of the matter before the Supreme Court.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)