

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

**984 WRIT PETITION NO.1330 OF 2023
(Board dated 07.11.2023)**

**SHAIKH NAZNEEN BEGUM AZIMODDIN
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS**

...
Advocate for the Petitioner : Shri Deshmukh Javed Abdul H.
AGP for Respondents 1 and 2/State : Shri P.S. Patil
...

**AND
997 WRIT PETITION NO.8118 OF 2023
(Board dated 07.11.2023)**

**AMLA CHANDRASHEKHAR PIMPLE ALIAS AMLA
MADHUKAR SANVATSARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH EDUCATION
AND SPORTS DEPARTMENT AND OTHERS**

...
Advocate for the Petitioner : Shri L.V. Sangit i/by Ms.Minakshi
Laxman Sangit
AGP for Respondents 1 to 3/State : Shri P.S. Patil
Advocate for Respondent 4 : Ms.Rupali D. Chinchpurkar i/by
Shri Sant Tapan Kishor
...

**AND
1067 WRIT PETITION NO.12910 OF 2022
(Board dated 07.11.2023)**

**SANTOSH CHINTAMAN RANMALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

...

Advocate for the Petitioner : Shri I.D. Maniyar i/by Shri Gonare
Bhaskar Parmeshwa

AGP for Respondents 1 and 2 : Shri P.K. Lakhotiya
Advocate for Respondents 4 and 5 : Shri V.S. Panpatte

...

**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 08th November, 2023

Per Court :-

1. The Petitioners are identically placed. They have not cleared the Teachers Eligibility Test (TET). They are in employment. They claim that they are not involved in the TET scam.

2. In Writ Petition No.8118/2023, the Petitioner's salary has been stopped from February, 2021 as she has not passed her TET.

3. In Writ Petition No.12910/2022, the Petitioner has passed CTET after the cut off date 31.03.2019.

4. Several such petitions have been disposed off by this Court. One such order is passed by this Court in Writ Petition No.1334/2023 (*Shaikh Yasmin Begum Nizamuddin vs. The State of Maharashtra and others*) and a group of matters, on

01.11.2023.

5. For the reasons recorded in the order dated 01.11.2023 (supra), **these Writ Petitions are partly allowed** with the same directions, which read as under:-

- (a) The impugned orders are quashed and set aside.
- (b) The Petitioners would tender individual affidavits undertakings that, they would abide by the conclusions that would be drawn by the Hon'ble Supreme Court, and if the verdict is adverse to those teachers who do not have the TET qualification or have cleared the TET after 31.03.2019, or as the case may be, they would abide by the same without raising any cause of action.
- (c) Let such affidavit undertakings be filed in this Court within 15 (fifteen) days from today and a copy be tendered to the concerned Education Officer within the same timeline.
- (d) Considering the above, the proposal of the Petitioners would be considered for entering their names in the 'Shalarth-ID' on it's own merits, save and except the reason that they are not TET qualified. Needless to state, the proposal would be decided within 30 (thirty) days after the submissions of the

undertaking.

(e) If an adverse order is passed by the Honourable Supreme Court by which the teachers are covered by clause (b) above, the State Government would not recover the salaries already paid to the Petitioners, since they have worked for those tenures and they have earned their salaries for performing their duties.

(f) In the event, the candidates like the Petitioners are protected by the Honourable Supreme Court's conclusions and they are held to be qualified to continue in employment, they would be entitled for all service benefits like promotions, increments, etc..

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)