

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

936 WRIT PETITION NO. 9080 OF 2023

JITENDRA GANPATI ADDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Panpatte V. S.
AGP for Respondent/s – State : Mr. S.G. Sangale
Advocate for Respondent Nos. 2 to 4 : Mr. U.B. Bondar
...

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

DATE : 27 JULY 2023

PER COURT :

Heard.

2. By the impugned order, the respondent no. 3 – Education Officer (Primary), has declined the proposal of the petitioner for including his name in the Shalarth Pranali for disbursement of salary on the ground that he has not cleared the TET examination.

3. We have heard the learned Advocate for the petitioner and also learned Advocate Mr. Bondar who appears for respondent nos. 2 to 4. The issue is no more *res integra*. This Court in the matter of Amol Baban Salgar Versus The State of Maharashtra, in Writ Petition No. 8966 of 2021 (Nagpur Bench), decided on 21 February 2022, has expressly observed that the question of clearance of TET or otherwise should not bother the Education Officer while considering a proposal

for including the name of a teacher in the Shalarth Pranali when his initial appointment has been duly approved.

4. In the light of above, we allow the Writ Petition partly, quash and set aside the impugned communication to the extent of the petitioner. The respondent no. 3 shall now re-consider the aforementioned aspects and pass a fresh order on the proposal regarding inclusion of the petitioner's name in the Shalarth Pranali as expeditiously as possible and in any case within a period of three weeks from today.

5. This order would be subject to the outcome of the Special Leave to Appeal No. 8300 of 2021.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

spc/