

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

24 WRIT PETITION NO.9394 OF 2023

SUPRIYA NANA BAVISKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.I.K.Wagh h/f Mr.K.M.More, Advocate for the Petitioner.
Mr.S.G.Karlekar, AGP for the Respondent/State.
Mr.S.B.Munde, Advocate for Respondent No.4.

(CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.)

DATE : AUGUST 28, 2023

PER COURT :

1. When the impugned order dated 03.02.2021 was passed by Respondent No.3, the Petitioner admittedly did not have the TET qualification. Subsequently, he appeared for the examination on 13.01.2023 and passed the same on 03.03.2023.

2. Issue is that the Petitioner is TET qualified today. Whether a teacher having acquired TET after the cut off date 31/03/2019, would be eligible for service benefits. As Respondent No.3 has passed the impugned order when the Petitioner was not TET qualified, we

deem it appropriate to refer the case to him, once again, to consider whether the Petitioner who is in service today, could be granted any benefit of having passed the TET examination on 03.03.2023.

3. In view of the above, **this Petition is disposed off.** As the impugned order dated 03.02.2021 has served its purpose, it would lose its efficacy. Respondent No.3 would now re-consider the case of the Petitioner on its own merits in the backdrop of his passing the TET examination on 03.03.2023. We make it clear that we have not expressed any opinion about the rights of the Petitioner in view of the fact situation recorded above.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)