

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

20 WRIT PETITION NO.12156 OF 2023

**PANDURANG BHAURAO HAWALE AND OTHERS
VERSUS
UNION OF INDIA, THROUGH SECRETARY AND OTHERS**

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Mr Pratik A. Bhosale, Advocate for Petitioners;
Ms Sudha Chintamani, Standing Counsel for Respondent
No.1/Union of India
Mr S. K. Tambe, A.G.P. for Respondent Nos.3 to 5

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

DATE : 23rd October, 2023

PER COURT:

1. The Petitioner has put forth prayer clauses (B), (C) (D) and (E), which read as under :-

“B) To direct the respondents to strictly implement the minimum qualification requirement for appointment as teachers laid down by NCTE by notification dated 23.08.2010 and made applicable to the state by GR dated 13.02.2013 by issuing writ of mandamus or any other writ or order in the like nature:

C) To direct the respondents to revert the unqualified teachers and make the posts available in the current PAVITRA Portal teacher recruitment process, 2023 by issuing writ of mandamus or any other writ or order in the like nature;

(2)

D) To direct the respondents to frame separate service rules for teachers for Class 1-5 and Class 6-8 for effective implementation of S. 23 of RTE Act, 2009 by issuing writ of mandamus or any other writ or order in the like nature:

E) To direct the respondents to prepare separate roster for 4 categories i.e. Undergraduate Teachers (Class 1-5) and Mathematics- Science Graduate Teachers (Class 6-8), Language Graduate Teacher (Class 6-8) and Social Studies Graduate Teacher (Class 6-8) for effective implementation of S. 23 of RTE Act, 2009 by issuing writ of mandamus or any other writ or order in the like nature:”

2. We do not find any cause of action that has arisen for these Petitioners, to have filed this Writ Petition. They concede that there is no cause of action. They also concede that this Writ Petition is filed on an apprehension.

3. In view of the above, **this Writ Petition is disposed off.**

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

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