



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 15047 OF 2023

SHUBHAM DILIP SONAR
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

Shri Panpatte V.S., Advocate for the Petitioner.

Ms.Priya R. Bharaswadkar, AGP for Respondents 1 to 4/State.

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

DATE :- 11th December, 2023

Per Court :-

1. The Petitioner has not cleared the Teachers Eligibility Test (TET). He is in employment. A solemn statement is made on oath that he is not involved in the TET exam result scam.

2. 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.

3. For the reasons recorded in the order dated

01.11.2023 (supra), **this Writ Petition is partly allowed** with the same directions, which read as under:-

(a) The impugned order dated 03.02.2021 is quashed and set aside.

(b) The Petitioner would tender an individual affidavit undertaking that, he would abide by the conclusions that would be drawn by the Honourable 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, he would abide by the same without raising any grievance.

(c) Let such affidavit undertaking 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) It is undisputed that the name of the Petitioner is already entered in the Shalarth ID thereby, entitling him for payment of salary.

(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 Petitioner, since he has worked for those

tenures and he has earned his salaries for performing his duties.

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

kps (Y. G. KHOBRADE, J.) (RAVINDRA V. GHUGE, J.)