



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

WRIT PETITION NO. 15573 OF 2023

**BALASAHEB RAMDAS BODHAWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**AND
WRIT PETITION NO. 15659 OF 2023**

**GOVIND TRAMBAKRAO HATTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr. T. M. Venjane, Advocate for Petitioners
Mr. A. B. Girase, Government Pleader a/w Ms Priya R.
Bharaswadkar, AGP for Respondent - State

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

DATE : 20.12.2023

PER COURT :-

1. The learned Advocate for the Petitioners submits on instructions that both the Petitioners do not figure in the TET exam result scam. Both have not passed the TET.

2. Several such Petitions have been disposed off by this Court. One such order is passed by this Court in Writ Petition No.

1334 of 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), **these 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 an individual affidavit undertaking 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, the Petitioners would abide by the same without raising any cause of action.

(c) Let such 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) Considering the above, the proposal of the Petitioners would be considered for entering their name in the 'Shalarth-ID' on their 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 Hon'ble 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 and have earned their salaries for performing their duties.

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

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

SMS