



(1)

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

WRIT PETITION NO. 1751 OF 2024

LAXMI MADHAVRAO RAJURE
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

AND

WRIT PETITION NO. 1755 OF 2024

SACHIN UDHAVRAO JADHAV
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

....

Mr T. M. Venjane, Advocate for Petitioners;
Mr P. K. Lakhotiya and Mr S. B. Narwade, A.G.Ps. for
Respondents/State in respective Petitions

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

DATE : 13th February, 2024

PER COURT:

1. Admittedly, both these Petitioners have not cleared the Teachers Eligibility Test (TET). They are in employment. A solemn statement is made by them on oath that, they are 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

(2)

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), **both these Writ Petitions are partly allowed** with the same directions, which read as under:-

(a) The impugned orders in both the Petition, dated 30/01/2024, 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 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, they would abide by the same without raising any cause of action.

(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, Nanded, within the same timeline.

(3)

(d) Considering the above, the proposals of these Petitioners would be considered for entering their names in the 'Shalarth-ID' on their own merits, save and except, for the reason that they are not TET qualified. Needless to state, the proposals would be decided within 30 (thirty) days after the submissions of the undertakings.

(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 these Petitioners, since they have worked for those tenures and they have earned their salaries for performing their duties.

(f) In the event, the candidates like the Petitioners are protected by the Honourable Supreme Court's conclusions 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. KHOBRADE, J.)

sjk

(RAVINDRA V. GHUGE, J.)