



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONT. PETITION NO. 207 OF 2024
IN WP/11947/2023

SHOIB MUSA SHAIKH

... PETITIONER

VERSUS

1. Anuradha Oak,
Commissioner of Maharashtra State
Council of Examination, Behind Agarkar
Research Institute, Shivaji Nagar, Pune.

2. Suraj Madhre,
Commissioner of Education, Maharashtra state,
Dr Annie Besant Rd, Agarkar Nagar,
Pune, Maharashtra 411001.

... RESPONDENTS

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Advocate for the Petitioner : Mr. Sayyed Tauseef Yaseen
Addl. G.P. for Respondents: Mr. M.M. Nerlikar
Advocate for Respondents : Mr. Anup R. Nikam

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CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE : 12.02.2024

PER COURT:

Heard both the sides. By the ad-interim order dated
26.09.2023 in Writ Petition No.11947/2023 following was the directions
given :

"1. The Petitioner possesses the qualifications of Bachelor of Engineering (Civil) (B.E. Civil), Bachelor of Education from Science and Mathematics, Master of Arts in Political Science, UGC NET SET and also passed CTET and TAIT. He prays for

leave to register on the "Pavitra Portal" so as to be in the race for recruitment of candidates as "Shikshan Sevaks/ Assistant Teachers".

2. *The Petitioner desires to become a teacher. There is no "B.E. (Civil)" on the page of the Pavitra Portal to enable the Petitioner to click the said clause or select the said clause. The second hurdle is the next page on which, further information with regard to the graduation degree is to be entered. For B.E., there is no scope for selecting an option. So also, an option "others" is not available on the Pavitra Portal.*
3. *Even if this Court was to entertain the plea of the Petitioner, the Pavitra Portal, which is an online registration mode, would not accept the form of the Petitioner. The Government Resolution dated 25.02.2019 and the corrigendum Government Resolution dated 12.06.2019, do not prescribe "graduate in any subject". Nevertheless, we are of the view that this issue needs to be considered.*
4. *Issue notice to the Respondents, returnable on 06.11.2023. The learned AGP waives service of notice on behalf of Respondent Nos.1 and 3. The learned Advocate Shri Nikam waives service of notice on behalf of Respondent No.2.*
5. *Though the Petitioner may not be eligible for enrollment on the Pavitra Portal from "graduate plus B.Ed." category, the fact that the Petitioner has acquired CTET and also TAIT, would render him eligible from this mode/channel.*
6. *In view of the above, as an interim measure, we permit the Petitioner to register online on the Pavitra Portal from the mode of CTET/ TAIT. The learned Advocate Shri Nikam submits, on instructions, that the Petitioner be called upon to send an e-mail on the e-mail address "edupavitra2022@gmail.com" by setting forth his full name, CTET/ TAIT examination roll number, cellular phone number, Writ Petition number and the date of the order of this Court. He assures that this case would be specifically scrutinized to the extent of the eligibility for registration on the Pavitra Portal and the Petitioner would be accordingly informed.*
7. *The above statement is recorded. The Petitioner shall send such e-mail urgently, before the cut-off date.*

8. *Needless to state, an appointment order to the Petitioner, if selected, would not be issued without the leave of this Court.*
9. *This ad-interim order would not create any equities or crystallize any right in favour of the Petitioner.”*

2. The petitioner is again before us since he was unable to go for registration online. Keeping aside any other aspect and even the merit touching the eligibility of the petitioner, learned advocate Mr. Nikam, on instructions, in presence of the Deputy Director of Education submits that though the date for registration is over the petitioner would be permitted registration. We accept the statement as an undertaking to the Court. Nothing survives. The contempt petition is disposed of.

(SHAILESH P BRAHME, J.)

(MANGESH S. PATIL, J.)

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