



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO. 8067 OF 2021

PRAVIN MAGAN KOLI

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Sandip P. Rathod, Advocate for the Petitioner

Mr. P. K. Lakhotiya, AGP for Respondents

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

DATE : 5th January, 2024

ORDER:

1. The learned Advocate for the Petitioner submits that this Court [Coram: S.V. Gangapurwala, J. (as His Lordship then was) and R. N. Laddha, J.] has passed an order on 28.07.2021 adjourning the matter *sine die*. However, thereafter several Courts at the Principal Seat, Nagpur Bench and at Aurangabad Bench have granted conditional limited reliefs to the similarly situated persons.

2. The petitioner has cleared C-TET after the cut-off date 31.03.2019. He expressed an apology that though this incident of passing C-TET occurred on 25th September, 2023, he inadvertently did not amend the petition. Considering that it is a case of a teacher, that we accept the oral request of the learned Advocate for the Petitioner to amend the Petition for mentioning the passing of the C-TET. Amendment be carried out forthwith.

3. Since various Benches of this Court have granted conditional limited relief to such petitioners, we are passing the same order as under:-

- (A) **This Petition is partly allowed.**
- (B) The impugned order dated 22.03.2021 is quashed and set aside.
- (C) The Petitioner's proposal shall be considered by Respondent No.4- Education Officer (Primary), Zilla Parishad, Jalgaon , for sanction of the continuation of the approval of his appointment granted earlier, within a period of 60 days since he has now passed the C-TET after the cut-off date 31.03.2019.
- (D) The Petitioner shall tender an affidavit undertaking in this Court and a Copy to the employer as well as to Respondent No.4/Education Officer within three weeks from today, stating therein that he would give up all service benefits if the Hon'ble Supreme Court concludes that TET/C-TET is compulsory and the candidates after the cut-off date are not entitled to be in employment.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan