



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1034 WRIT PETITION NO. 5920 OF 2024

SONALI BALASAHEB WAGHMARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Tukaram Maruti Venjane
AGP for Respondent/s-State : Mrs. P.J. Bharad

...

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

DATE : 08 AUGUST 2024

PER COURT :

Heard both the sides.

2. The petitioner's name was included in the portal provided for online disbursal of salary, however, it has been abruptly stopped and he was not getting salary due to the impugned communication (**Exhibit – D**) whereby the Pay and Salary unit has issued a circular stopping salary of individual teachers who had not passed the TET within the time stipulated.

3. This Court has been, in similar fact situation, taking note of the fact that the issue regarding mandatory nature of the TET qualification has been sub judice before the Supreme Court

which has granted status-quo in Special Leave to Appeal (C) no. 8300 of 2021 on 05-07-2021. This Court has been setting aside similar decisions and has been directing salaries to be disbursed. We follow the course.

4. Writ petition is allowed partly.

5. Impugned communication to the extent of petitioner is quashed and set aside.

6. Respondent no. 5 shall continue to disburse petitioner's salary through the online portal subject to the petitioner furnishing an undertaking before this Court and furnishing a copy to the Pay Unit that in case so ordered, she would repay the money as would be directed and her right to draw the salary would be subject to the final outcome of the decision in the Special Leave Petition.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]