



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

37 WRIT PETITION NO. 6008 OF 2024

YAMUNA BHARTBUVA PARBAT
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS PRINCIPAL SECRETARY AND OTHERS

...
Advocate for petitioner : Mr. T.M. Venjane
AGP for the respondent – State : Mr. S.P. Joshi
...

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

DATE : 24 JUNE 2024

PC :

Heard both the sides.

2. The petitioner's name was included in the portal provided for online disbursement of salary, however, it has been abruptly stopped and 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 and taking a note of the fact that the issue regarding mandatory nature of the TET qualification has been subjudice before the Supreme Court which has granted status-quo in Special Leave to Appeal (C) no. 8300 of 2021,

dated 05-07-2021 even setting aside similar decision and 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 Letters Patent Appeal.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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