



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

949 WRIT PETITION NO. 123 OF 2024

INAMDAR MUSAHIBODDIN INAMDAR MUSIRUDDIN
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Maniyar Irfan D
AGP for Respondents/State : Mr. S.K. Tambe
Advocate for R/4 & 5 : Mr. B.P. Gonare
...

CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 9th January, 2024

PC. :-

1. The Petitioner has passed the C-TET examination after the cut-off date (31.03.2019). A solemn statement is made that he does not figure 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 No.1334 of 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), **this petition is partly allowed** with the same directions, which read as under:-

- (a) The impugned order is quashed and set aside.
- (b) The Petitioner would tender an individual affidavit undertaking that, he would abide by the conclusions that would be drawn by the Hon'ble 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, the Petitioner would abide by the same without raising any cause of action.
- (c) Let such undertaking be filed in this Court within 15 (fifteen) days from today and a copy be tendered to the concerned Education Officer within the same timeline.
- (d) Considering the above, the proposal of the Petitioner would be considered for entering his name in the 'Shalarth-ID' on its own merits, save and except the reason that he is not TET qualified. Needless to state, the proposal would be decided within 30 (thirty) days after the submissions of the undertaking.
- (e) If an adverse order is passed by the Hon'ble Supreme Court by which the teachers are covered by clause (b) above, the State Government would not recover the salary already paid to the Petitioner, since he has worked and has earned his salaries for performing his duty.

(f) In the event, the candidate like the Petitioner is protected by the Hon'ble Supreme Court's conclusion and he is held to be qualified to continue in employment, the Petitioner would be entitled for all service benefits like promotions, increments, etc.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]