

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 1603 OF 2024**

Mohini Kishor Dhongde ... Petitioner  
versus  
The State of Maharashtra and Others ... Respondents

...  
Mr.Saurabh Pakale with Mr.Nilesh Desai and Ms.Netra Tembe i/b.  
Ms.Padmaja Malgaonkar for the Petitioner.

Mr.Omkar Chandurkar, Addl.GP with Ms.P.J.Gavhane, AGP for the  
Respondent -State.

...

**CORAM : RAVINDRA V. GHUGE  
&  
ASHWIN D. BHOBE, JJ.**

**DATE : 5<sup>TH</sup> DECEMBER, 2024**

**PC.**

1. The Petitioner has acquired the Central Teacher Eligibility Test (CTET) and the Teacher Eligibility Test (TET) certificates after the cut off date. An approval to her appointment was granted on 9<sup>th</sup> December 2020. The Shalarth ID has also been granted.

2. Vide communication dated 21<sup>st</sup> April, 2023, the Education Inspector, Brihan Mumbai, Western Division has conveyed to the Divisional Deputy Director of Education, Mumbai Division,

Mumbai that the salary of the Petitioner from August, 2022 has not been released. The impugned order, which is cryptic and without reasons, only suggests that the salary from August, 2022 would not be granted. This order is passed by Respondent No.4.

3. The affidavit in reply filed by the Deputy Education Inspector, Jogeshwari (E), Mumbai, dated 14<sup>th</sup> March, 2024 contains an averment that the TET certificate of the Petitioner was declared invalid by the Commissioner, Maharashtra State Council of Examination, Pune vide order dated 18<sup>th</sup> August, 2022.

4. Even if the TET certificate of the Petitioner has been declared invalid, the Petitioner still has the CTET certificate. Her approval and the Shalarth ID are intact. The only question would be as to whether she can continue in employment after acquiring such certificate after the cut off date. This issue is *sub-judice* before the Hon'ble Supreme Court in Special Leave to Appeal (Civil) No. 8300 of 2021 (***Priti Ravindra Warghante and Ors. Vs State of Maharashtra and Ors.***). The Hon'ble Supreme Court has directed *status-quo* to be maintained.

5. In the light of the directions set out by this Court at

Aurangabad, in the order dated 7<sup>th</sup> September, 2023 passed in Writ Petition No. 11121 of 2023 (*Dattatry Devidas Sonwale and Anr. Vs. State of Maharashtra and Ors.*) and the conclusions / conditions set out in the order dated 12<sup>th</sup> November, 2024 passed at the Principal Seat in Writ Petition No. 16423 of 2023 and connected matters (*Stephie Sushant Ransing Alias Stephie Sebastian John V/s. The State of Maharashtra and Ors.*), this Writ Petition is partly allowed. The impugned order dated 6<sup>th</sup> September, 2022 is quashed and set aside.

6. The payment of the regular monthly salary of the Petitioner shall be commenced forthwith. Arrears of the salary from the date of filing of the Petition, which is 11<sup>th</sup> January, 2024, shall be released by the appropriate authorities and such arrears shall be paid within 90 days from today.

7. Insofar as the order dated 18<sup>th</sup> August, 2022 is concerned, the Petitioner is at liberty to independently assail the said order, if not already challenged. All contentions are kept open.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)