

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

WRIT PETITION NO. 12767 OF 2024

Manoj Govind Khotare ...Petitioner
Versus
The State Of Maharashtra Thr.
The Secretary And Ors ...Respondents

**WITH
WRIT PETITION NO. 12768 OF 2024**

Sagar Sudhakar Sonawane And Anr ...Petitioners
Versus
The State Of Maharashtra Thr.
The Secretary And Ors ...Respondents

Mr. Sanjeev Kumar Deore a/w Ms Suchita J. Pawar for Petitioners.
Mr. M. M. Pabale AGP for Respondent No.1 in Writ Petition
No.12767 of 2024.
Mr. Tejas Kapre AGP for Respondent No.1 in Writ Petition
No.12768 of 2024.
Mr. R. M. Pethe for Respondent Nos.2 & 3 in Writ Petition
No.12768 of 2024.

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

DATE : 16th DECEMBER, 2024

P.C. :-

1. An interim order passed in Vacation dated 15th May, 2024 in Writ Petition No.7184 of 2024 (Suresh Tulshiram Mahale & Ors. Vs. The State of Maharashtra & Ors.), is cited. We do not find that this court has granted any interim relief or a direction that the

Petitioner should be appointed.

2. The fact remains that the Petitioner's name appears in a TET Exam Result Scam and criminal investigation is going on. It is to be left to the employer to verify the antecedents of a prospective employee. If antecedents are tainted, this Court cannot issue Writ of Mandamus to an Employer to grant the employment to such an Employee. Hence at this stage, we would not be issuing a Writ of Mandamus for issuance of an appointment order.

3. We find that these candidates had much lesser marks actually scored in TET Exam of 2019. In view of the scam, their marks were increased in order to bring them within the minimum marks required for passing the TET Exam. It is this scam in which 7500 students are said to be involved.

4. **Issue notice to the Respondents** returnable on 28th January 2025. The learned AGP waives service of notice on behalf of Respondent No.1. The Learned Advocate Mr. R. M. Pethe waives service of notice on behalf of Respondent Nos.2 and 3.

5. Let the affidavits in reply be filed, if not already filed, at least 10 days prior to the returnable date.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)