



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.1455/2024

na Sahayogi Tantra Shikshan Sansthan, Deori and others V State of Maharashtra and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P.N. Shende, Advocate for petitioners.
Mr. Ghogare, AGP for resp. nos. 1 and 2.
Ms Munshi, Advocate for resp. no.3.

CORAM : Nitin W. Sambre & Abhay J. Mantri, JJ

DATE : 01-03-2024.

Mr. Shende, learned Counsel for the petitioner, while assailing the impugned order dated 25-01-2024, would make the following submissions:

(a) Even if on the date of appointment i.e. on 11-04-2015 the petitioner has not qualified as Central Teacher Eligibility Test (CTET) which he cleared on 09-03-2022, same cannot be considered as a disqualification in view of the order of the Hon'ble Apex Court dated 20-08-2020 delivered in the matter of **State of Maharashtra and others Vs Madhukar and others** in Special Leave Petition (Civil) No.12338/2020. His further contentions are merely because the petitioner has not cleared CTET on the date of appointment will not act as a embargo to claim the approval/benefits as could be inferred from the order of this Court delivered in Writ Petition No.4180/2020 (***Anant Kale vs State of Maharashtra and others***) passed on 22-07-2022. As such, he would claim that the

petitioner's salary needs to be released by issuing appropriate directions to the Education Officer.

2. Issue notice to the respondents, returnable on 05-04-2024.

3. Ms Munshi, learned Counsel, waives notice for respondent no.3.

4. Learned Assistant Government Pleader, waives notice for respondent nos. 1 and 2.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J.)