



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.5361 OF 2024

Subhash S/o Ganaji Jambekar, Dharni, Dist. Amravati and ors.

-VS-

State of Maharashtra, Thr. Secretary, Dept. of School Education and Sports. Mantralaya, Mumbai
and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri S. S. Dhengale, Advocate for petitioners.

Shri J. Y. Ghurde, Assistant Government Pleader for respondent No.1.

Shri Sahil M. Bhangde, Advocate for respondent No.2.

CORAM : NITIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : October 21, 2024

1. The affidavit duly sworn by the Chief Executive Officer, Zilla Parishad, Amravati prescribes that the candidates even if have cleared the Teachers Aptitude and Intelligence Test (TAIT) examination can be considered only if they have cleared Teachers Eligibility (TET) examination.
2. It is the contention of the counsel for the petitioners that the same is not the mandate provided under the Administrative instructions dated 15/07/2024. According to him, Clause-(2) of the Administrative instructions dated 15/07/2024 contemplates that in case if the qualified candidates are not available, so as to avoid loss to the students, on contract basis such candidates who have cleared TAIT examination can be considered and appointed.
3. The aforesaid contentions, in our opinion, raised by the counsel for the petitioners can be inferred from the reading of the Administrative instructions dated 15/07/2024.
4. In this background, since the respondent No.2-Chief Executive Officer is trying to read out of context thereby disqualifying the candidates to be appointed on contract basis who have cleared TAIT

examination like the petitioners, we deem it appropriate to direct the Commissioner, Education to file affidavit within a period of two weeks dealing with the view expressed by the respondent-Chief Executive Officer, Zilla Parishad, Amravati.

5. Stand over to 12/11/2024.

6. Pursis dated 21/10/2024 is taken on record. Appearance of Shri S. A. Mohta, learned counsel for respondent Nos.2 and 3 is discharged as prayed.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)