



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

916 WRIT PETITION NO. 2086 OF 2025

SHARDA MOHAN GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. Maniyar Irfan D

AGP for Respondents: Mr. M.M. Nerlikar

...

CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.

DATE : 12.02.2025

PER COURT :

Heard.

2. The petitioner, who was appointed as an Assistant Teacher, by following due process and to whose appointment approval was granted by respondent no. 3 Assistant Commissioner OBC Welfare Department, is putting up a challenge to the impugned communications dated 04.09.2024 and 09.09.2024, whereby all the institutes have been called upon by respondent nos. 2 and 3 to terminate such of the teachers, who were not possessing TET qualification. The petitioner does not possess TET, and is apprehending termination.

3. The issue as regards mandatory nature of the TET is a subject matter of challenge before the Supreme Court, which has directed *status quo* to be maintained. This Court has been protecting the employees subject to certain conditions, thereby binding the individuals with a commitment/undertaking that their right to continue would be in accordance with the decision to be rendered by the Supreme Court.

4. The Writ Petition is allowed partly.
5. The petitioner shall tender an affidavit/undertaking that he would abide by the decision of the Supreme Court and furnish it in this Court within 15 days and its copy to respondent no. 3 within the same time. The petitioner shall also be entitled to claim salary till the Supreme Court decides the matter. He shall be entitled to all other consequential service benefits for the time being.

(PRAFULLA S. KHUBALKAR J.)

(MANGESH S. PATIL, J.)

mkd/-