



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

933 WRIT PETITION NO. 3448 OF 2025

**GURUBACHANSINGH MOHANSINGH GODIWALE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS**

.....
Advocate for the Petitioner : Mr. Tukaram Maruti Venjane
AGP for Respondents/State : Mr. M.K. Goyanka
.....

**CORAM : MANGESH S. PATIL &
Y.G. KHOBRAGADE, JJ.
DATE : 12.03.2025**

P.C. :-

1. The petitioner is challenging the communication dated 05.03.2025 whereby the Education Officer (Secondary), Zilla Parishad, Nanded has refused to consider the petitioner's case for approval of his appointment as 'Shikshan Sevak' on the ground that he was not TET qualified on the date of appointment which had happened after the GR dated 13.02.2023.
2. Issue notice. The learned AGP waives service for all the respondents.
3. We have heard both the sides finally.
4. The learned advocate for the petitioner points out that in respect of a similar employee of the same management, in writ petition

no.9140/2024 by order dated 26.08.2024 this Court had directed the Education Officer to reconsider the proposal subject to the petitioner furnishing an undertaking on affidavit sworn before the Registrar (Judicial) and submit its copy to the Education officer and calling upon him to reconsider the proposal as per the mechanism prescribed under the GR dated 27.03.2024. In the peculiar facts and circumstances and in order to have parity, for the reasons recorded in the matter of Ranjeet Kaur Rajinder Singh Pujari V/s. State of Maharashtra & Ors. in writ petition no.9140/2024 decided on 26.08.2024, the writ petition is allowed partly. The impugned order is quashed and set aside.

5. The petitioner shall furnish an undertaking on affidavit sworn before the Registrar (Judicial) expressly declaring that he would forgo all the benefits derived from the approval if at all it is granted now by the Education Officer and in case, the decision of Supreme Court goes against him.

6. He shall produce a copy of the affidavit before the Education Officer, who shall pass a fresh order on his proposal on its own merits as expeditiously as possible and in any case within four weeks. However, he shall not reject it on the ground of want of TET qualification.

[Y.G. KHOBRAGADE, J.]

[MANGESH S. PATIL, J.]