



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

907 WRIT PETITION NO. 7074 OF 2025

**SAGAR SATISH POTDAR
VERSUS
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY AND OTHERS**

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Advocate for the Petitioner : Mr. Swapnil Patunkar a/w. Ojas Deshpande
h/f. J.P. Legal Associates
AGP for Respondents/State : Mr. V.M. Kagne
Advocate for Resp. No.2 : Mr. A.R. Nikam
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**CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.
DATE : 18th July, 2025**

PC. :-

1. Heard learned counsel for the Petitioner, learned AGP for Respondent Nos.1, 3 & 4 and Mr. Nikam learned counsel for the Respondent No.2.

2. The root cause of grievance of the Petitioner is that since the Respondents failed to conduct the Teacher Aptitude and Intelligence Test (TAIT) regularly every year, the Petitioner has suffered discrimination. On that basis condition no.1 incorporated in advertisement dated 25.04.2025 is challenged as unconstitutional. It is submitted that the insistence on eligibility of candidate based on TAIT-2022 is discriminatory for the reason

that after TAIT-2022 conducted in the year 2023, no further examination was conducted and directly in the month of May-2025 the Respondents conducted TAIT-2025. In the interregnum, the Petitioner has suffered and therefore, condition no.1 must be struck down and the Petitioner must be held eligible to apply under the said advertisement.

3. The learned AGP as well as the learned counsel appearing for the Respondent No.2 submit that while conducting TAIT certain teething trouble was experienced and with grievances being raised in respect of the test, on every occasion attempts were made to improvise and improve so that further grievances would not arise. It was admitted that TAIT-2022 itself could be conducted only in February-March 2023 and thereafter, TAIT-2025 has been conducted recently in May-2025. It is further brought to the notice of this Court that advertisement dated 25.04.2025 pertains only to phase 2 of recruitment through the pavitra portal, based only on those candidates who had appeared for TAIT-2022 examination. The cut-off date for obtaining the basic qualification was 12.02.2023, which was admittedly not satisfied by the Petitioner as a consequence of which he was ineligible to even appear for TAIT-2022. In such a situation, when the said advertisement is restricted to candidates who had appeared for TAIT-2022

and refers to phase 2 of such recruitment, the Petitioner cannot raise any grievance of discrimination.

4. Having considered the documents on record, we are in agreement with the contentions raised on behalf of the Respondents. It is also an admitted position that the Petitioner has appeared for TAIT-2025 and the result is awaited. In future if an advertisement is issued for recruitment through pavitra portal, the Petitioner would be eligible depending upon his score in TAIT-2025 and upon his satisfying the other requirements.

5. No case for discrimination is made out. The writ petition is dismissed. Pending applications, if any, also stand disposed of.

[Y.G. KHOBRADE, J.]

[MANISH PITALE, J.]