



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8228 OF 2025

JYOTI ASHOK PANDIT

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

- Mr. Balaji Shinde, Advocate h/f. Mr. Kawale Laxman H.,
Advocate for the Petitioner
- Mr. S. V. Hange, AGP for Respondents/State

...

CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.

DATE : 09.07.2025

PER COURT :

1. This Court is informed that in the case of identically situated petitioners, this Court has passed series of orders giving partial relief subject to final outcome of pending proceedings before the Supreme Court where the issue sought to be raised in this petition is pending consideration, with *interim* order operating in the pending proceedings before the Supreme Court.

2. In such circumstances, earlier writ petitions have been partly allowed and since there is no dispute about the fact that the petitioner herein is also identically situated. We are inclined to partly allow the present petition.

3. In a detailed order passed in Writ Petition No. 11121 of 2023 (*Dattaatry Devidas Sonwale And Another Vs. The State of Maharashtra Through Its Principal Secretary And Others*), dated 07.09.2023, this Court partly allowed the writ petition in following terms :-

“10. In view of the above, this Writ Petition is partly allowed. The impugned order dated 11/08/2023 is quashed and set aside, with the following directions :-

(a) The Petitioners would tender an undertaking that, they would abide by the conclusions that would be drawn by the Hon’ble Supreme Court, and if the verdict is adverse to those teachers who do not have the TET qualification or have cleared the TET after 31/03/2019, or as the case may be, they would abide by the same without raising any cause of action.

(b) Let such affidavit undertaking be filed in this Court within 15 days from today and a copy be tendered to the concerned Education Officer within the same timeline.

(c) Considering the above, the proposals of the Petitioners would be considered for entering their names in the ‘Shalarth-ID’ on their own merits, save and except, the reason that they are not TET qualified. Needless to state, the proposals would be decided within 30 days after the submissions of the undertakings.

(d) If an adverse order is passed by the Hon’ble Supreme Court by which the teachers are covered by clause (a), the State Government would not recover the salaries already paid to them, since they have worked for those tenures and they have earned their salaries for performing their duties.

(e) In the event, the candidates like the Petitioners are protected by the Hon'ble Supreme Court's conclusions and they are held to be qualified to continue in employment, they would be entitled for all service benefits like promotions, increments, etc."

4. In view of the above, the impugned order dated 23.05.2025 is quashed and set aside and the present petition is also partly allowed by directing that she shall abide by the directions contained in clauses (a) to (e) of above quoted order.

5. The petition stands **disposed of** in above terms.

6. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

jhs/