



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1037 WRIT PETITION NO. 10866 OF 2024

SHAHEEN PARVEEN MOHAMMAD HAYAT
VERSUS
STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

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Mr. Sayyed Tauseef Yaseen, Advocate for the petitioner.
Mr. S.B. Pulkundwar, A.G.P. for respondent Nos.1 and 4.
Mr. A.R. Nikam, Advocate for respondent No.2.
Mr. V.V. Gujar, Advocate for respondent No.3.

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CORAM : R.G. AVACHAT AND
SANDIPKUMAR C. MORE, JJ.

DATED : 8 MAY 2025

P.C. :

1. Heard.
2. The petitioner is awaiting participation in selection process through Maharashtra Teacher Aptitude and Intelligence Test (MAHA TAIT) but is stuck up because of the alleged scams at these examinations. The crimes were registered and charge-sheets are stated to have been filed. Considering the scheme of Pavitra Portal, in the matter of *Hina Kausar Mohammad Riyaz Vs. The State of Maharashtra and others (Writ Petition No. 8534/2023 and connected matters)* decided on 14.09.2023, by an elaborate judgment, this Court had dealt with the aspect and considering the fact that the

scam was in respect of TET examination and considering the fact that under the provisions of Right of Children to Free and Compulsory Education Act, 2009, even Central Teacher Eligibility Test (CTET) and D.Ed. + graduation are the eligibility criteria for appearing at the TAIT, directions were issued to consider the cases of each of such petitioners for participation in the selection process through Pavitra Portal even ignoring their performance at TET, wherein the scams had occurred, if necessary by resorting to verification through the Cyber Cell.

3. In several similar matters, subsequently this Court has been issuing similar directions for considering cases of each of petitioners on verification and further directing the authorities to allow them to participate in the selection processes through Pavitra Portal.

4. Following the course, we dispose of this petition directing the respondents to consider case of the petitioner on its own merits independently, considering her participation, if any, in the alleged scam and with a specific incorporation, if at all, she is to be appointed, to mention in the orders of the appointment a stipulation that her appointment would depend upon the final result of the investigation of the crime and the result of the trial pursuant thereto, on furnishing her

undertaking before the concerned Chief Executive Officer of the Zilla Parishad on the aforementioned lines. The decision shall be taken and appointment order shall be issued to the petitioner, if eligible, as expeditiously as possible and in any case, within six weeks.

(SANDIPKUMAR C. MORE, J.)

(R.G. AVACHAT,J.)