

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

(6) WRIT PETITION NO.17598 OF 2024

Mona Kachru Doifode alias
Mona Ghanshyam Gite and Ors.Petitioners

Versus

The State of Maharashtra and Ors.Respondents

AND

(8) WRIT PETITION NO.18631 OF 2024

Jagan Suresh Dhum and Ors.Petitioners

Versus

The State of Maharashtra and Ors.Respondents

Mr. Sanjeev Bapu Deore a/w. Ms. Suchita Pawar for the Petitioners
in both the Petitions.

Mr. V.G. Badgujar, AGP for Respondent No.1 in WP/17598/2024.

Mr. V.M. Mali, AGP for Respondent No.1 in WP/18631/2024.

CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.

DATE : 21st APRIL, 2025

P.C. :-

WRIT PETITION NO.17598 OF 2024

AND

WRIT PETITION NO.18631 OF 2024

1. None appears for the Zilla Parishad despite service of
Court notice.

2. On 16th December, 2024, we have passed the following
order :

1. An interim order passed in Vacation dated

15th May, 2024 in Writ Petition No.7184 of 2024 (Suresh Tulshiram Mahale & Ors. Vs. The State of Maharashtra & Ors.), is cited. We do not find that this Court has granted any interim relief or a direction that the Petitioners should be appointed.

2. The fact remains that the Petitioners' names appear in the TET Exam Result Scam and criminal investigation is going on. It is to be left to the employer to verify the antecedents of a probable employee. If antecedents are tainted, this Court cannot issue a Writ of Mandamus to an Employer to grant employment to such an Employee. Hence at this stage, we would not be issuing a Writ of Mandamus for issuance of an appointment order.

3. We find that these candidates had much lesser marks than those actually scored in TET Exam of 2019. In view of the scam, their marks were increased in order to bring them within the minimum marks required for passing the TET Exam. It is this scam in which 7500 students are said to be involved.

4. Issue notice to the Respondents returnable on 28th January 2025. The learned AGPs waive service of notice on behalf of Respondent No.1, State respectively.

5. Let the affidavits in reply be filed, if not already filed, at least 10 days prior to the returnable date.

3. The learned AGP submits that it is for the prospective Employer to take a call if the Petitioners are found to be having a tainted character certificate. The learned AGP has tendered a hard copy of the affidavit dated 21st April, 2025, which we have taken on

record.

4. We have already expressed our view in paragraph no. 2 of the order dated 16th December, 2024, in the light of the 2019 TET Exam Result Scam, which we have adverted to in paragraph no.3

5. Considering the above and in the light of our view expressed in paragraph no.2 reproduced above, **both these Petitions are disposed off.**

6. In the event the character certificate of any Petitioner is found to be clean, we leave it to the prospective Employer to take a call as to whether it would issue appointment orders to such clean candidates.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)