

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4556 OF 2025

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Urmila Khemji Gambhire & Ors.

... Petitioners

Versus

The State of Maharashtra & Ors.

... Respondents

.....
Mr. Suresh Pakale a/w Mr. Nilesh Desai, Mr. Onkar Ghatage for the
Petitioners.

Mr. Rupesh Bobade (through VC) for the Respondent No.2

Mr. S.B. Kalel, AGP for the Respondent – State
.....

Coram : M. S. Karnik &
Sharmila U. Deshmukh, JJ.

Date : August 26, 2025.

P. C. :

1. Mr. Pakale, learned Senior Advocate, has placed on record an affidavit dated 26th August 2025 duly affirmed by Mr. Parshuram Hanmantrao Wakde. The affidavit records that the Petitioners are qualified to be Primary Teachers in the Primary Schools. Mr. Bobade, learned Counsel appearing for the Respondent No.4 – Zilla Parishad was not in a position to controvert the stand of the Petitioner that they are all qualified.

2. Having heard Mr. Pakale, learned Senior Advocate and on perusing the memo of the Petition, we are satisfied that the controversy in the present case is covered by the decision of this Court in the case of **Manoj Gopal Mahale & Ors. Vs. State of Maharashtra & Ors.** in Writ Petition No. 568 of 2025 (Principal Seat).

3. In view of the decision of this Court in the case of Manoj Gopal Mahale (supra), the present Petition is allowed in terms of prayer clauses (a) and (b).

4. It is clarified that so far as paragraph no.9 of the aforesaid decision is concerned, the Court has taken a view that if the candidates who are selected and appointed on the basis of CTET or Graduation + B.Ed. Eligibility, their appointments can be protected since their selection and appointment was not on the basis of the TET exam result, which was subsequently cancelled. In applying para 9 of the decision in Manoj Gopal Mahale (supra), for the purpose of this order, the observations in subsequent decision of the Division Bench (Principal Seat) in the case of **Hemant Dilip Pawar Vs. Zilla Parishad Sindhudurg** in Writ Petition No.10880 of 2024 and other connected Petitions will apply with necessary modifications.

5. We direct the Respondent Nos. 1 and 2 to restore the services of the Petitioners with continuity of services and other consequential benefits as expeditiously as possible and preferably within a period of six weeks from the date of communication of this order.

6. The Petition is disposed of in the above terms. No costs.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik]