

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1148 OF 2025

Siddharam Aapparao Malewadi & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

Mr. Saurabh Pakale a/w Mr, Nilesh Desai, Advocate for the Petitioners.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.K. Naik, AGP for the Respondent/State.

Mr. Rai Rodrigues a/w Ms. Gargi Warunjikar, Advocate for Respondent No.2.

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

DATE : 17th FEBRUARY, 2025

P.C. :

1. We have considered the submissions of the learned Advocates for the respective sides and the learned Addl. G.P.

2. The submissions of the parties are based on the orders passed by this Court on 7th September, 2023 in Writ Petition No.11121 of 2023 (*Dattatry Devidas Sonwale And Another V/s. The State of Maharashtra Through Its Principal Secretary And Others*), at the Aurangabad Bench.

The order dated 10th August, 2023, passed in Writ Petition No.9944 of

2023, by the Coordinate Bench at Aurangabad, has been referred to. We have recently passed an order dated 12th November, 2024 in Writ Petition No.16423 of 2023 and other connected matters (*Stephie Sushant Ransing Alias Stephie Sebastian John V/s. The State of Maharashtra and Ors.*).

3. In Writ Petition No. 7398 of 2024 and group of cases (*Utkarsh Devidas Bachhav & Ors. V/s. The State of Maharashtra & Ors.*), we had recorded in Paragraph No.3 of our order dated 25th November, 2024 as under :

“(A) Candidates who have passed the Teacher Eligibility Test (TET)/Central Teacher Eligibility Test (CTET) after the cut-off date 31st March, 2019.

(B) Candidates falling in the Category ‘A’, who have been granted approval, but are yet to receive allocation of Shalarth-ID.

(C) Candidates who have not cleared the TET/CTET, were appointed by a Management in an Institution which had no salary grants and such candidates were granted approval to their appointments on no grant basis by the Education Officers.

(D) Candidates who do not have TET/CTET and whose appointments are on no grant basis establishments and who have not been granted approvals by the Education Officers or the Competent Authority.

4. Considering the submissions of the learned Senior Advocate Mr. Bandiwadekar in the said proceedings, we had added one more category, subject to the decision of the Hon'ble Supreme Court, as under :

(E) The candidates who are working in minority institutions, which have salary grants in aid and though the appointed candidates do not have TET qualification, approvals have been granted to their appointment as Shikshan Sevak.

5. It is categorically stated by the learned Advocate for the Petitioners that all of them have passed their TET Examination after the cut-off-date 31st March, 2019. It is specifically stated that they are not involved in the TET exam results scam.

6. In view of the above, since the Petitioners fall in Category 'A' under Paragraph No.3, herein above and since the Shalarth-ID has been refused only on the ground that they did not pass the TET before the cut-off-date, this **Writ Petition stands partly allowed**. The Petitioners whose approvals to their appointments are intact, shall be granted to Shalarth-ID, subject to the conditions set out in Paragraph No.10 in

Dattatry Devidas Sonwale And Another (Supra) and Stephie Sushant Ransing Alias Stephie Sebastian John (Supra).

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)