

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 12768 OF 2024

Sagar Sudhakar Sonawane & Anr. ... Petitioners

versus

The State of Maharashtra & Ors. ... Respondents

Mr.Sanjeev Kumar Deore for the Petitioners.

Ms.Tejas Kapre, AGP with Mr.M.M.Pabale, AGP for Respondent
No.1, State.

Mr.R.M.Pethe for Respondent Nos. 2 and 3.

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

DATE : 7th February, 2025

P.C. :-

1. Petitioner No.1's name is admittedly noted in the 2019 Teachers Eligibility Test (TET) exam result scam. It is undisputed that he is under a scanner and investigation is going on. In some cases, the charge sheets have also been filed.

2. The affidavit in reply dated 21st January, 2025 filed by the Deputy Commissioner, Primary Education Department, Pune Municipal School Board, Respondent No.3 herein, indicates that the Petitioner No.1's name is noticed in the TET exam result scam.

Though he actually secured 53 marks, the same were increased on the result sheet to 83 marks. In the case of Petitioner No.2, her score of 73 marks was noticed to have become 83 marks. It is categorically stated that these Petitioners aspire to become teachers and the Corporation would appoint those teachers whose antecedents are clean and are not tainted. It is also stated that the Cyber Cell, Pune City is yet to deliver the character certificate to the Corporation.

3. Time and again, we have noted in our orders that it is for the prospective employer to decide as regards whether a person with tainted antecedents can be appointed and that too as a teacher. If the Cyber Cell indicates that the Petitioners' antecedents are unblemished, the Municipal Corporation can proceed to consider the case for appointment. The Municipal Corporation would take a call on the candidature of these Petitioners after receiving the report from the Cyber Cell, Pune City.

4. In view of the above, **this Writ Petition is disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)