



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 7842 OF 2025

Sar ita Ramkrushnaji Kanake and others

...Vs...

State Of Maharashtra, Thr. Secretary, Tribal Development Dept., Mumbai And Ors.

AND

WRIT PETITION NO. 6312 OF 2024

Atul Chandrabhan Borkar

Vs

State Of Maharashtra, Thr. Secretary, Tribal Development Dept., Mumbai And Ors.

AND

WRIT PETITION NO. 4189 OF 2025

Arjun Munsli Dahikar and others.

Vs

State Of Maharashtra, Thr. Secretary, Tribal Development Dept., Mumbai And Ors.

AND

WRIT PETITION NO. 4280 OF 2025

Pravin Gurudas Madavi and others.

Vs

State Of Maharashtra, Thr. Secretary, Tribal Development Dept., Mumbai And Ors.

AND

WRIT PETITION NO. 4333 OF 2025

Ambadas Devidas Yete and another

Vs

State Of Maharashtra, Thr. Secretary, Tribal Development Dept., Mumbai And Ors.

AND

WRIT PETITION NO. 4407 OF 2025

Ritesh Premal Kasdekar and others.

Vs

State Of Maharashtra, Thr. Secretary, Tribal Development Dept., Mumbai And Ors.

AND

WRIT PETITION NO. 4778 OF 2025

Anil Bhura Kasdekar and others.

Vs

State Of Maharashtra, Thr. Secretary, Tribal Development Dept., Mumbai And Ors.

AND

WRIT PETITION NO. 4780 OF 2025

Manda Manohar Uike and others.

Vs

State Of Maharashtra, Thr. Secretary, Tribal Development Dept., Mumbai And Ors.

AND

WRIT PETITION NO. 7901 OF 2025

Supriya Pralhad Wankhede and others.

Vs

State Of Maharashtra, Thr. Secretary, Tribal Development Dept., Mumbai And Ors.

AND**WRIT PETITION NO. 7902 OF 2025**

Hareklal Hariram Jambekar and others.

Vs

State Of Maharashtra, Thr. Secretary, Tribal Development Dept., Mumbai And Ors.

AND**WRIT PETITION NO. 7903 OF 2025**

Ashwini Dnyaneshwar Shahare and others.

Vs

State Of Maharashtra, Thr. Secretary, Tribal Development Dept., Mumbai And Ors.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. V. S. Wankhade, counsel with Mr. N.L. Chaudhari, counsel for the petitioners in all petitions.

Mr. S.M. Ukey, Addl. G.P for respondent Nos. 1 to 5/State. (WP No.7842 of 2025)

Ms Mayuri Deshmukh, AGP for respondent Nos. 1 to 3/State. (WP No. 6312 of 2024)

Mr. S.M. Ukey, Addl. G.P for respondent Nos. 1 to 4/State. (WP No.4189of 2025)(WP No. 4333 of 2025)

Mr. N.S.Rao, AGP for respondent Nos. 1 to 3/State (WP No. 4280 of 2025)

Mr. P.P. Pendke, AGP for respondent Nos. 1 to 4/State (WP No. 4407 of 2025)

Mr. P.P. Pendke, AGP for respondent Nos. 1 to 5/State (WP No.4778 of 2025)

Mr. D.P. Thakre, Addl. G.P for respondent Nos. 1 to 5/State (WP No. 4780 of 2025)

Ms. Mayuri Deshmukh, AGP for respondent Nos. 1 to 5/State (WP No. 7901 of 2025)

Mr. H.D. Marathe, AGP for respondent Nos. 1 to 4/State (WP No. 7902 of 2025)

Ms Naik, AGP for respondent Nos. 1 to 3 and 5/State (WP No. 7903 of 2025)

CORAM : ANIL S. KILOR and RAJNISH R. VYAS, JJ.**DATE : 10/12/2025.**

1. Heard learned counsels for the respective parties.
2. In all these petitions, the petitioners are either teaching or non-teaching staff attached with the Government Ashram Schools. The prayers in all these petitions is to either regularized their services or extension of the benefits under Government Resolution dated 13/02/2023. They also seek payment of the difference of the revised

pay-scale as per the 7th Pay Commission, along with other consequential reliefs.

3. The issue involved regarding the regularization and permanency has been answered succinctly by this Court at Aurangabad Bench in the *judgment dated 19/09/2025 in Writ Petition No. 11349/2025 (Nitin Baliram Gharat and Ors. V/s. The State of Maharashtra and ors.)* and other connected petitions. In which, this Court has dealt with judicial developments and policy taken by the State in detailed. The following observations would be relevant for deciding the controversy:-

“12. All such Petitioners, who have not completed 10 years in service, either in the teaching or non-teaching category, would not stand protected. Nevertheless, they would be entitled, along with all others, for parity in wages in the light of order of this Court passed in Interim Application No. 1418 of 2024 in Writ Petition No. 13177 of 2023, on 29th November 2024 (Sandip Ganpat Hadbal & Ors. v/s. The State of Maharashtra & Ors.).”

4. In the aforesaid background, the same analogy is adopted here and the present petitions are **disposed of** as per directions given in para 10 to 14 in the case of *Nitin Baliram Gharat* (supra), which are reproduced as under:-

“10. In view of the above, we observe that though, on the one hand, the State Government would carry out a verification exercise as is directed in Madhukar Bhagwanrao Sadgir (supra) and Pandurang Hari Shelke (supra), those teachers who do not

have the TET qualification, would not be terminated and would be continued in employment for a further period of 2 years with effect from 1st September, 2025 until 1st September 2027, to enable them to acquire the TET qualification, failing which, their contractual service would be brought to an end from 2nd September 2027.

11. *Needless to state, those who acquire the STET or CTET qualification within such period, would then be granted regularization as 'Assistant Teachers' depending on the availability of the permanent vacant posts. If the posts have exhausted, they would be continued until further vacancies arise and would be absorbed in a staggered manner.*

12. *All such Petitioners, who have not completed 10 years in service, either in the teaching or non-teaching category, would not stand protected. Nevertheless, they would be entitled, along with all others, for parity in wages in the light of order of this Court passed in Interim Application No. 1418 of 2024 in Writ Petition No. 13177 of 2023, on 29th November 2024 (**Sandip Ganpat Hadbal & Ors. v/s. The State of Maharashtra & Ors.**).*

13. *As is held in paragraph no. 12 in **Madhukar Bhagwanrao Sadgir** (supra), the concerned department has to verify as to which of the Petitioners have completed 10 years of service as Teachers, were interviewed prior to their appointment and were found qualified and appointed. If this aspect is not found, then a reasoned order has to be passed while rejecting the claim.*

14. *Insofar as those Petitioners, who have completed 10 years in service on contractual basis and do not fall in the Teachers'*

*Category (Non-teaching Staff), they would be considered depending on the availability of permanent vacant posts, in the light of the guidelines set out in **Madhukar Bhagwanrao Sadgir** (supra) and **Pandurang Hari Shelke** (supra) and the policy of State Government. If any of the Petitioners is found to be ineligible for whatever reason, as was held in **Pandurang Hari Shelke** (supra), the Government would pass a reasoned order and the said order would be served upon the concerned Petitioner, who would then be at liberty to assail the said decision before the appropriate forum.”*

5. In the aforesaid background, respondent is directed to act in terms of para 5 of this order and as passed in the case of **Nitin Baliram Gharat** (supra). Needless to mention that we expect that the concerned authorities to complete the said exercise within a period of 180 days.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)