



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

WRIT PETITION NO. 4581 OF 2025

RITA D/O UTTAMRAO JAWANJAL

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND

WRIT PETITION NO. 3322 OF 2025

VAISHALI W/O VILAS BAMBAL AND OTHERS

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND

WRIT PETITION NO. 3453 OF 2025

SURAJ S/O. MADHUKARRAO BADHEKAR AND ANOTHER

...Vs...

STATE OF MAHARASHTRA, THR. PRINCIPAL SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND

WRIT PETITION NO. 3778 OF 2025

SANJAY RATAN HEKADE

...Vs...

STATE OF MAHARASHTRA, THR. PRINCIPAL SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND

WRIT PETITION NO. 3913 OF 2025

KASHIRAM S/O RUPAL DHURVE AND OTHERS

...Vs...

STATE OF MAHARASHTRA, THR. PRINCIPAL SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND

WRIT PETITION NO. 4056 OF 2025

CHIRONJEELAL S/O SAKHARAM MAVASKAR AND OTHERS

...Vs...

STATE OF MAHARASHTRA, THR. PRINCIPAL SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND

WRIT PETITION NO. 4307 OF 2025

ARCHANA D/O RAMDEV JAWARKAR AND ANOTHER

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND

WRIT PETITION NO. 4526 OF 2025

RAVI S/O SABULAL JAMUNKAR

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND

WRIT PETITION NO. 4925 OF 2025

PRAMILA D/O HARICHAND DARSIMBE AND OTHERS

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND

WRIT PETITION NO. 5433 OF 2025

RAMSINGH S/O MANANG SAWALKAR AND OTHERS

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND
WRIT PETITION NO. 5501 OF 2025

SHANKAR NAMDEV PATIL AND OTHERS

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND
WRIT PETITION NO. 6218 OF 2025

DAMYANTI W/O JAGGULAL MAWASKAR AND ORS.

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND
WRIT PETITION NO. 6247 OF 2025

SHYAM S/O RAHEMAN BHASKAR AND ANOTHER

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND
WRIT PETITION NO. 6418 OF 2025

GEETA W/O RAMPRASAD DAHIKAR AND OTHERS

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND
WRIT PETITION NO. 7165 OF 2025

PANKAJ S/O RAJU BHASHKARE

...Vs...

STATE OF MAHARASHTRA, THR. SECRETARY, TRIBAL DEVELOPMENT DEPT., MUMBAI AND ORS.

AND
WRIT PETITION NO. 7166 OF 2025

JAGDEV S/O DESHIRAM IWANE

...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 orders	Court's or Judge's orders
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Shri S.I.Ghatte, Advocate for petitioner(s).
S/Shri/Smt. N.R. Patil, D.P.Thakare, N.S.Rao, S.M.Ukey, H.D.Marathe and P.P. Pendke, AGP for respondent/State in respective petitions.

CORAM: ANIL S. KILOR AND
RAJNISH R. VYAS, JJ.

DATED : 20th NOVEMBER, 2025.

Heard learned counsel for the petitioners.

2. The details of petitioner/s who claim/s to have worked, are as under:-

Sr. No.	Writ Petition Nos.	Petitioner(s)	Worked as/Post
1	4581/2025	Petitioner	Teacher in the Ashram School
2	3322/2025	Petitioner	Teachers in the Govt. Ashram Schools
3	3453/2025	Petitioners	Peon
4	3778/2025	Petitioner	Sanitation Worker
5	3913/2025	Petitioners	Class-IV Employees
6	4056/2025	Petitioners	Class-IV Employees
7	4307/2025	Petitioners	Adhikshika/Supervisor/Teachers
8	4526/2025	Petitioner	Teacher
9	4925/2025	Petitioners	Teacher/Cook/Peon
10	5433/2025	Petitioner no. 1	Peon
		Petitioner nos. 2, 3 and 4	Cook/Watchman/ Cook/Sweeper,
11	5501/2025	Petitioner no. 1	Teacher
		Petitioner no. 2	Cook/Watchman,
		Petitioner no. 3 Sharda	Girls care taker
		Petitioner no. 4 Sushila	Girls care taker
		petitioner no. 5 Nandu Pawar	Cook
12	6218/2025	Petitioners	Sweeper, Watchman, Watchman, Watchman and Peon respectively
13	6247/2025	Petitioner no. 1	Teacher
		Petitioner no. 2	Cook/Watchman,
14	6418/2025	Petitioner nos. 1, 2 and 3	Cook
		Petitioner no. 4	Sweeper
15	7165/2025	Petitioner	Watchman
16	7166/2025	Petitioner	Watchman

3. In all these petitions, a prayer is made to quash and set aside the Government Resolution (GR) dated 21/05/2025 whereby respondent no. 1 had proposed to fill the ad-hoc posts by outsourcing agencies. Further, consequent prayers regarding regularization and payment of minimum wages were also made.

4. 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.).”

5. 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."*

6. 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.)