IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

5 WRIT PETITION NO. 13595 OF 2026

Jyoti Sharadrao Burpalle And Others
VERSUS
The State Of Maharashtra Through Secretary And Others
...
Mr. Devidas R. Shelke, Advocate for the Petitioner
Mr. B. B. Bhise, AGP for Respondents/State

CORAM : NITIN B. SURYAWANSHI &
ABASAHEB D. SHINDE, JJ.
DATE : 06th OCTOBER 2026

P. C. :-

1. By this petition, under Article 226 of the Constitution of India, the Petitioners seek a declaration that the directions of the Supreme Court in Special Leave Petition Nos. 14517 - 14539 of 2025 in the matter of ***Chaya & Ors. v. The State of Maharashtra & Anr.*** in its order dated 23rd March 2026, are also applicable to the Petitioners; and for a direction to the Respondent Authority to appoint Petitioners who have secured higher marks than the last selected candidate in the General Category in the Teachers Selection Process of 2024 in their home or adjacent district.

2. The Petitioners, who belong to reserved categories, appeared in the Teachers Aptitude and Intelligence Test ('**TAIT**')

conducted pursuant to the notification dated 31st January 2023 issued by Respondent No. 3, and figure in the select list dated 25th February 2024 published by Respondent Nos. 2. By Clause No. 6 of the 'Press Release Regarding Teachers Selection' dated 26th February 2024, candidates who had qualified the Teachers Eligibility Test ('**TET**') by availing relaxation in the qualifying marks were held ineligible for consideration in the general category. The Petitioners contend that although they secured marks higher than the last selected candidate in the general category, they were confined to their respective categories and were consequently appointed in districts far removed from their native districts, whereas some of them are yet to be appointed.

3. By judgment and order dated 23rd March 2026 in ***Chaya & Ors. v. The State of Maharashtra & Anr. (supra),*** SLP (C) Nos. 14517–14539 of 2025, the Supreme Court directed the Respondents therein to include in the merit list those candidates who had secured marks higher than the last selected candidate in the general category.

4. Relying on the said judgment, the Petitioners submitted representation dated 04.09.2026 to Respondent Nos. 2 and 3,

inter alia seeking that they be considered from the general category and be accommodated in their native or adjacent districts. The Petitioners contend that these representations have not been decided so far, and that such inaction is causing them grave prejudice, especially as a fresh recruitment process was advertised on 6th August 2026.

5. Mr Devidas Shelke, learned counsel for the Petitioners, has drawn our attention to the order dated 28th July 2026 passed by this Court in Writ Petition No. 7651 of 2026 with Writ Petition No. 9576 of 2026, whereby similar directions were issued in the case of similarly placed petitioners. He prays that directions be issued to Respondent Nos. 2 and 3 to decide the aforesaid representation in a time-bound manner.

6. We are of the view that the inaction of Respondent Nos. 2 and 3 is causing grave prejudice to the Petitioners, and the representation must be decided as per the mandate of law in a time-bound manner.

7. Considering the limited relief which the Petitioners seek, and the nature of the order we propose to pass, no prejudice

would be caused to the Respondents. The following order would serve the ends of justice: -

:: ORDER ::

(i) Respondent Nos. 2 and 3 to consider and decide the representation 04.09.2026 of the Petitioners within a period of 4 weeks from the date of uploading of this order, in accordance with law.

(ii) Let all parties be given an opportunity of hearing.

(iii) All rights and contentions of the parties are expressly kept open.

(iv) The petition is disposed of accordingly. No costs.

(ABASAHEB D. SHINDE, J.) **(NITIN B. SURYAWANSHI, J.)**