



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

14 WRIT PETITION NO.670 OF 2026

MANOHAR SHIVAJI PATIL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. P.B. Jadhav, Advocate for petitioner – **absent**

Mrs. Kalpalata B. Patil Bharaswadkar, AGP for State

...

**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 09th MARCH, 2026

ORDER :

. Present petition has been filed for following reliefs :

“(B) By issue of writ of mandamus or order or direction in the like nature, the impugned order dated 13.12.2023 passed by respondent No.4 – Project Officer, Yaval, Dist. Jalgaon may kindly be quashed and set aside.

(C) By issue of writ of mandamus or order of direction in the like nature, respondent Nos.1 to 4 may please be directed to grant approval to the appointment of petitioner as permanent Teacher w.e.f. 29.08.2022 and release salary of petitioner since the date of appointment as a permanent Teacher till today within a period of four weeks.

2 Learned Advocate for petitioner submits that petitioner, who is serving as Shikshan Sevak, had cleared the necessary qualification including passing Maha-TET and CTET. In the meantime, petitioner's name was shown to be included in TET scam and, therefore, he approached this Court by filing Writ Petition No.4775 of 2023. Interim order came to be passed on 26.04.2023, thereby he was protected. The salary was directed to be paid to him on conditions of attending duties and performing his job, however, in respect of increments it was specifically held that it will not be granted without the leave of the Court and, therefore, the Educational Institution had re-submitted the proposal for approval and for release of the salary. However, by order dated 13.12.2023 respondent No.4 has rejected the said proposal on the ground of pendency of Writ Petition 4775 of 2023. Hence, this petition.

3 Heard learned AGP, who waives notice for respondent Nos.1 to 4.

4 Here, it is to be noted that though petitioner appears to have been involved in the alleged scam in respect of TET examination, he has come with a case that he had also cleared CTET examination. Now, when this Court by way of interim protection has protected the services of petitioner and also in respect of the salary, the proposal ought to have been

considered from both the angles. As regards the CTET is concerned, respondent No.4 ought to have given a thought as to whether the said proposal can be considered and, therefore, when made query, learned AGP upon instructions from respondent No.4, submits that the said proposal would be considered within a period of eight weeks from today.

5 The said statement is taken as undertaking. Before we part, we must make it clear that when Writ Petition No.4775 of 2023 is pending, which is in respect of TET examination, then even if the petitioner is held to be eligible in view of CTET examination; yet, the interim order in respect of salary that is passed on 26.04.2023 should be observed by the concerned authorities and increment, if any, shall not be granted to the petitioner without the leave of the Court. Subject to this condition, we set aside order dated 13.12.2023 passed by respondent No.4. We direct respondent No.4 to reconsider the said proposal in the light of prayer that has been made in the proposal and also taking into consideration the rules, Government Resolutions of the orders passed by this Court within a period of eight weeks from today. Accordingly, the writ petition stands disposed of.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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