



(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

1 WRIT PETITION NO. 1817 OF 2026

**RAGHUNATH SHANKAR ZAWARE AND OTHERS
VERSUS
STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

.....

Mr N. P. Ghanwat, Advocate for Petitioners
Mr S. J. Salgare, AGP for Respondent No.1/State
Mr V. B. Kulkarni, Advocate h/f Mr Shantanu Deshpande, Advocate
for Respondent Nos.2 & 3

**AND
WRIT PETITION NO.1956 OF 2026**

**DHANSING RAMSING RAJPUT & OTHERS
VERSUS
STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS & OTHERS**

.....

Mr R. A. Shinde, Advocate for Petitioners
Mr S. J. Salgare, AGP for Respondent Nos.1 & 2/State
Mr S. R. Dheple, Advocate for Respondent Nos.3

.....

**CORAM : KISHORE C. SANT
AND
SUSHIL M. GHODESWAR, JJ.**

DATE : 20th FEBRUARY 2026

PER COURT :-

1. Writ Petition No.1956/2026 is not on board. Mentioned.
Taken on board.

(2)

2. Heard learned Advocate for respective sides for some time in both the petitions.

3. The grievance of the petitioners in these petitions is that they are the teachers without having qualification of Teachers Eligibility Test (TET). By an order dated 01/09/2025 the Hon'ble Apex Court has protected for the persons who have not having TET qualification, for a period of two years, with a rider that they should obtain the TET qualification within a period of two years.

4. It is the grievance of the petitioners that the respondents/Zilla Parishads in both the petitions have started procedure for giving promotions to the teachers. For the present, since the petitioners are not possessing TET qualification, only the teachers who are possessing TET qualification are being considered for promotional posts. It is the grievance of the petitioners that when two years period is granted to them by the Hon'ble Apex Court to obtain TET qualification, the respondent/Zilla Parishads should wait for following procedure of promotion for a period of two years i.e. upto 31/08/2027.

(3)

5. At this stage, this Court need not go into the grievance of these petitioners. As on today, it is accepted position that the petitioners are not having qualification of TET. Learned Advocates for the petitioners have placed on record copy of the order dated 12/02/2026, passed by this Court at the Nagpur Bench in Writ Petition No.1369/2026. Paragraph No.6, of the said order reads thus :-

"6. By way of ad-interim relief, it is directed that the names of the petitioners be included in the list for promotion, subject to the result of the present petition."

6. In view of the above, this Court is passing the following order :-

ORDER

(i) Issue notice to the respondents in both these petitions, returnable on 23/03/2026. Learned A.G.P. waives service of notice on behalf of respondent Nos.1 and 2 in Writ Petition No.1956/2026 and for respondent No.1 in Writ Petition No.1817/2026. Learned Advocate Mr Shantanu Deshpande waives service of notice on behalf of respondent Nos.2 and 3 in Writ Petition No.1817/2026. Mr Dheple, learned Advocate waives service of notice on behalf of respondent No.3 in Writ Petition No.1956/2026.

(4)

(ii) By way of an ad interim relief, the names of these petitioners be included in the list for promotion, subject to result of the present writ petitions.

7. Parties to act on the basis of authenticated copy of this order.

[SUSHIL M. GHODESWAR, J.]

[KISHORE C. SANT, J.]

sjk