



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 WRIT PETITION NO. 2990 OF 2026

MOHAMMED HAROON AMEEN MIYAN DESHMUKH AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Sayyed Tauseef Yaseen, Advocate for petitioners

Mr. V.M. Kagne, AGP for respondent Nos.1 and 2

Mr. S.R. Dheple, Advocate for respondent No.3

...

CORAM : SMT. VIBHA KANKANWADI &
NEERAJ P. DHOTE, JJ.

DATE : 17th APRIL, 2026

ORDER :

. Present petition has been filed for quashing and setting aside the Government communication dated 19.01.2026, letter dated 09.02.2026 and notice dated 25.02.2026 to the extent they mandate preparation of TET exclusive seniority list for promotion. The petitioners have also prayed for the stay to the finalization of TET based seniority list dated 25.02.2026 until the petitioners' CTET results are declared. Other consequential prayers were also made.

2 Heard learned Advocate Mr. Sayyed Tauseef Yaseen for petitioners, learned AGP Mr. V.M. Kagne for respondent Nos.1 and 2 and learned Advocate Mr. S.R. Dheple for respondent No.3.

3 Learned Advocate for petitioners submits that additional affidavit of one of the petitioners has been filed stating that petitioners have now cleared CTET examination, their results have been declared on 12.03.2026, however, they are facing a technical bar in applying / uploading their data because the formal digital certificate is awaited. Now, when petitioners have cleared the CTET, they would be entitled to get the promotion and even in view of the decision in **Anjuman Ishaat-E-Taleem Trust vs. State of Maharashtra and others** [2025 SCC OnLine SC 1912] when time of two years was granted to clear the TET, the petitioners have cleared the same within the time that was given by Hon'ble Supreme Court.

4 Learned Advocate for respondent No.3 relies on order of this Court dated 10.04.2026 in Writ Petition No.2771 of 2026 [to which SMT. JUSTICE VIBHA KANKANWADI was party] and after considering paragraph Nos.164 to 170 and 216 to 218 from **Anjuman Ishaat-E-Taleem Trust** (supra) this Court has taken a view. In view of the position that petitioners were not qualified TET or CTET on 01.09.2025 the petitioners will not be entitled for the promotion this year. In view of said Judgment the petitioners might be

entitled for consideration of promotion next year.

5 Learned Advocate for petitioners thereafter seeking withdrawal with liberty to make representation to respondent No.3 and the Chief Executive Officer, Zilla Parishad, Chhatrapati Sambhajnagar, before whom they would produce the documents and then as the list is not yet finalized, they would consider the candidature of petitioners for promotion.

6 Here, the fact remains is that in Sanju Bhavsingh Rathod and others vs. The State of Maharashtra and others in Writ Petition No.2771 of 2026 decided on 10.04.2026 the list was finalized and this Court taking into consideration paragraph Nos.164 to 170 and 216 to 218 and especially paragraph No.218 of **Anjuman Ishaat-E-Taleem Trust** (supra) observed that those in service teachers aspiring for appointment by promotion should qualify TET and this date will have to be taken as 01.09.2025, when the Hon'ble Supreme Court pronounced the Judgment. Now, since the list in the present matter is not finalized, the Chief Executive Officer, Zilla Parishad, Chhatrapati Sambhajnagar as well as respondent No.3 should take into consideration the decision in **Anjuman Ishaat-E-Taleem Trust** (supra) as well as the other aspects into consideration while preparing list of candidates for promotion.

7 With this observation we allow the petitioners to **withdraw** this petition with liberty to make requisite representation to the Chief Executive Officer as well as to respondent No.3 within one week and those authorities to consider the same when they would finalize the list for promotion.

(NEERAJ P. DHOTE, J.)

(SMT. VIBHA KANKANWADI, J.)

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