



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO.5058 OF 2026

Sandesh Nandkishor Hajare

VERSUS

The State Of Maharashtra Thr. Its Principal Secretary General Admn. Dept.
Mumbai And Ors.

...

Mr. Anilkumar B. Dhongade, Advocate for the Petitioner.

Mr. A. B. Girase, GP for Respondents/State.

...

**CORAM : SMT. VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.**

DATE : 07 MAY 2026

ORDER :

. Present petition has been filed for following reliefs :-

“B. By issuing appropriate writ order or direction in like nature, the respondent Nos.3 and 4 may kindly be directed to prepare the Selection List/Seniority List considering the cut-off date as 01.09.2025 as per the G.R. dated 01.08.2019 and the judgment of Hon’ble Apex Court in case of Civil Appeal No.1385/2025 along with other matters in reported judgment *Anjuman Ishaat-E-Taleem Trust Vs. The State of Maharashtra* in the interest of justice.

C. By issuing appropriate writ order or direction in like nature, the respondent Nos.3 and 4 may kindly be directed to give the promotion of the petitioner to the post of Extension Officer (Education) pursuant to the guidelines issued by

Under Secretary, State of Maharashtra vide letter dated 19.01.2026 in the interest of justice.”

2. Here, it is to be noted that in fact prayer clause ‘C’ is the consequential prayer of prayer clause ‘B’ if at all the procedure that has been prescribed is undertaken. Therefore, we would restrict ourselves to prepare clause ‘B’ at this stage.

3. The petitioner is working with respondent Nos.3 and 4 as primary teacher since 15.11.2002. According to the petitioner, he has passed State Eligibility Test examination in Marathi in 2025 and National Eligibility Test in 2024. The copy of CTET certificate dated 08.01.2025 has been produced on record and, therefore, the petitioner states that he is entitled for the promotional post of Extension Officer. Respondent No.4 had sought information from the Block Education Officers in respect of CTET passed candidates to consider them for the promotion in view of letter dated 09.02.2026 issued by Director of Education (Primary), Pune. It is submitted on behalf of the petitioner that the said information has been called in view of the decision of the Hon’ble Supreme Court in **Anjuman Ishaat-E-Taleem Trust Vs. The State of Maharashtra and others, [2025 SCC OnLine SC 1912]**, however, though in the Government Resolution dated 01.08.2019, the cut off date for preparation of selection list/seniority list is 01.09.2025 and in view of observations by this Court

in recent judgment in **Sanju Bhavsing Rathod and others Vs. State of Maharashtra and others**, [Writ Petition No.2771 of 2026 with companion matters dated 10.04.2026], the cut off date has been taken as 01.09.2025. The information sought by letter dated 23.02.2026, for the period commencing from 01.01.2025, is incorrect.

4. Learned Advocate for respondent No.4 is tendering the undertaking by respondent No.4 stating that he would consider the seniority, eligibility and consequential benefits to be given to the candidates as per the applicable statutory provisions, relevant rules, Government Resolutions, Circulars and the Acts.

5. The limited point is that which should be the cut off date to be considered for the promotional post taking into consideration the basic qualification of passing of TET. The observations by this court in **Sanju Rathod (supra)** to which one of us (SMT. VIBHA KANKANWADI, J.) was party, are binding on respondent No.4. Here, it is to be noted that as per the Government Resolution dated 01.08.2019, it is stated that the seniority list should be prepared as per the guidelines and the example has been given that if the seniority list of 2017-2018 is prepared, then the cut off date should be 01.01.2017. We are in fact not much concerned about the same. Of course, the said Government Resolution is binding on

respondent No.4, however, when the law regarding TET as a compulsory qualification for primary teachers has been clarified in **Anjuman (Supra)**, and the said qualification has also been considered as one of the basic requirements for promotion, this Court, in **Sanju Rathod (Supra)** has interpreted that the cut-off date should be taken as starting from 01.09.2025. Therefore, while considering whether the petitioner would be entitled to a particular promotion, respondent No.4 shall adhere to the relevant Government Resolutions as well as the decisions in **Anjuman (Supra)** and **Sanju Rathod (Supra)**, which is the undertaking now given by respondent No.4.

6. In view of the said undertaking, we dispose of the writ petition.

[AJIT B. KADETHANKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm