

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4733 OF 2024**

Ramprasad Bhimrav Mote And Ors ...Petitioner
VERSUS
The State of Maharashtra Thr The
Secretary Thr The Secretary Dept.
Of Education And Sports And Ors ...Respondents

WITH
WRIT PETITION (STAMP) NO. 17370 OF 2025

Sachinkumar Suryakant Mendgule ...Petitioner
VERSUS
The State of Maharashtra Throu.
The Sec. Dept Of Education And Sports And OrsRespondents

WITH
WRIT PETITION NO. 16468 OF 2024

Atul Madhukar Gaikwad ...Petitioner
VERSUS
The State of Maharashtra Thr
The Secretary And OrsRespondents

Ms. Suchita J. Pawar a/w Ms. Archana Gaikwad i/b Mr. Sanjeev B.
Deore for the petitioners
Ms. Divya Pawar Patil for respondent no. 2 in WP 16468 of 2024
Mr. Ashok Misal for respondent in WP 4733/2024
Mr. Siddheshwar B. Kalel AGP for the State in WP 4733/2024
Ms. Tejas Kapre, AGP for the State in WPST 17370/2025
Mr. Avinash Naik, AGP for the State in WP 16468/2024

**CORAM : NITIN B. SURYAWANSHI
AND AJIT B. KADETHANKAR, JJ.**

DATE : 10th FEBRUARY 2026.

P.C.

1. The points raised in these petitions are extensively dealt with in identical petitions and by a reasoned order, the said petitions are disposed of by this Court at Principal Seat.

2. Hence, for the reasons stated in the Judgments in Writ Petition No. 17292 of 2024 and connected matters and Writ Petition No. 4904 of 2020 and connected matters at Principal Seat, present writ petitions are disposed of with following directions:

(a) The Petitioners would tender an undertaking that, they would abide by the conclusions that would be drawn by the Hon'ble Supreme Court, and if the verdict is adverse to those teachers who do not have the TET qualification or have cleared the TET after 31/03/2019, or as the case may be, they would abide by the same without raising any cause of action.

(b) Let such affidavit undertaking be filed in this Court within 15 days from today and a copy be tendered to the concerned Education Officer within the same timeline.

(c) Considering the above, the proposals of the Petitioners would be considered for entering their names in the 'Shalarth-ID' on their own merits, save and except, the reason that they are not TET qualified. Needless to state, the proposals would be decided within 30 days after the submissions of the undertakings.

(d) If an adverse order is passed by the Hon'ble Supreme Court by which the teachers are covered by clause (a), the State Government would not recover the salaries already paid to them, since they have worked for those tenures and they have earned their salaries for performing their duties.

(e) In the event, the candidates like the Petitioners are protected by the Hon'ble Supreme Court's conclusions and they are held to be qualified to continue in employment, they would be entitled for all service benefits like promotions, increments, etc.

3. The impugned orders dated 5th December 2023 passed by respondent no. 3, 23rd May 2023 passed by respondent no. 2 and 3rd March 2025 passed by respondent no. 2 are hereby quashed and set aside.

(AJIT B. KADETHANKAR, J)

(NITIN B. SURYAWANSHI, J.)

IRESH
MASHAL

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IRESH MASHAL
Date: 2026.02.12
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