

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.185 OF 2026

Sachin Ramu Rathod] Petitioner
versus
The State of Maharashtra and others] Respondents

a/w

WRIT PETITION NO.186 OF 2026

Avinash Nilkanth Jadhav] Petitioner
versus
The State of Maharashtra and others] Respondents

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Mr. Nagesh Chavan a/w Ms. Ankita Chindage a/w Mr. Abhang Suryawanshi, for Petitioners.

Mr. V.M. Mali, A.G.P, for Respondent – State in Writ Petition No.185 of 2026.

Mr. Siddheshwar B. Kalel, A.G.P, for Respondent – State.

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CORAM : R.G. AVACHAT AND
AJIT B. KADETHANKAR, JJ.

DATE : 28th JANUARY, 2026.

P.C:

1. Heard Mr. Chavan, learned Counsel for the petitioners and the learned Additional Government Pleaders, for Respondents – State.

2. Mr. Chavan, learned Counsel for the petitioners submits that the petitioners are the Assistant Teachers, who have not cleared TET examination but they are covered by the liberty granted by the Hon'ble Supreme Court in case of **Anjuman Ishaat-E-Taleem Trust Vs. The State of Maharashtra and others in Civil Appeal No.1385 of 2025** alongwith connected Civil Appeals.

3. Mr. Chavan, learned Counsel further submits that, in any case, the petitioners are permitted to clear the TET examination within two years from 1st September, 2025. Mr. Chavan would submit that although the services of the petitioners are protected, the respondents have not released their salary from May, 2025. Mr. Chavan, learned Counsel relied upon the order dated 6th November, 2025 passed by this Court in Writ Petition No.11978 of 2025 and connected petitions, wherein this Court has observed thus;

“3. Thus prima facie we find that in terms of the order of the Hon'ble Supreme Court, the Petitioners will have to pass the TET Examination within a period of two years from 1st September, 2025.

4. The action on the part of the Respondents in depriving the Petitioners the salary since June 2025 appears to be unjustified in view of the order passed by the Hon'ble Supreme Court. It is expected that necessary corrective steps shall be taken by the Respondents in ensuring that the salary and the arrears are paid by the next date.

5. We expect that by the next date the necessary directions are issued for releasing the salary of the Petitioners.

6. List these Petitions on 18th November 2025, under the caption "For Directions" to enable the learned A.G.P to make a submission that within what time the arrears will be paid.

7. It is open for the learned A.G.P to place on record the reasons for depriving the Petitions in getting benefits of the salary, though it is the specific contention of the Petitioners that they are continuing to work and discharging their duties in the respective schools. It such is the situation, the reasons thereof may be placed on record by way of an Affidavit by the next date".

4. In view of this, we deem it appropriate to dispose of these Writ Petitions with directions to Respondent Nos.1 to 4 to release the salary arrears payable to the petitioners within a period of twelve weeks from today and shall keep paying the regular salary.

5. Mr. Chavan, learned Counsel for the petitioners assures to file usual undertaking of the respective petitioners in this Court.

6. The writ petitions are disposed of. No order as to costs.

[AJIT B. KADETHANKAR, J.]

[R.G. AVACHAT J.]