

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**(904) CONTEMPT PETITION NO.47 OF 2026
IN
WRIT PETITION NO.5783 OF 2022**

Uzma Sadaf Zainuddin Shaikh & Ors.Petitioners

Versus

Union of Indian & Ors.Respondents

**WITH
(905) CONTEMPT PETITION NO.48 OF 2026
IN
WRIT PETITION NO.5784 OF 2022**

Dineshkumar Ishan Uikey & Ors.Petitioners

Versus

Union of Indian & Ors.Respondents

Mr. Sanjeev B. Deore a/w. Ms. Suchita J. Pawar and Mr. Arman Ansari for the Petitioners in both Petitions.

Ms. Priyanka Chavan for Respondent No.1.

Mr. Drupad Patil a/w. Mr. Santosh Parad and Mr. Santosh Mali for the Respondent – BMC in CP/47/2026.

Mr. Santosh Parad a/w. Mr. Santosh Mali for the Respondent – BMC in CP/48/2026.

Mr. B.V. Samant, Addl. GP a/w. Mr. M.M. Pable, AGP for the Respondent – State in CP/47/2026.

Mr. O.A. Chandurkar, Addl. GP a/w. Ms. M.P. Thakur, AGP for the Respondent – State in CP/48/2026.

Mrs. Sunita Jadhav, Administrative Officer, Primary Section, Education Department present.

**CORAM : RAVINDRA V. GHUGE
&
ABHAY J. MANTRI, JJ.**

DATE : 5th FEBRUARY, 2026

P.C. :-

1. The learned Advocate representing the Municipal

Corporation and its officials, submits that Mrs. Sunita Jadhav, Administrative Officer, is present in the Court hall. A printout of an email issued by the Administrative Officer (Personnel), Recruitment Sub-Division, Brihanmumbai Municipal Corporation, is supplied to the learned Advocate, who has tendered it to the Court. The same is taken on record and marked as 'X' for identification.

2. The learned Advocate for the Petitioners submits that the judgment of this Court dated 25th September, 2025 delivered in Writ Petition No.5783 of 2022 and connected batch of Petitions (*Uzma Sadaf Zainuddin Shaikh and Ors. v/s. Union of India and Ors.*), has been assailed before the Hon'ble Supreme Court in Special Leave to Appeal (C) No.36265 – 36266 of 2025. By an interim order dated 9th January, 2026, the Hon'ble Supreme Court has observed as under :

1. List alongwith SLP (C) No.8624 – 8628 of 2021.

2. We make it clear that we are not granting interim stay on the impugned order and the prayer sought for is rejected.

3. List on 30.01.2026.

3. The learned Advocate for the Corporation submits, in the light of the document 'X', that after the Hon'ble Supreme Court

specifically refused interim relief to the Corporation on 9th January, 2026, these Petitioners have now been called upon to report on 9th February, 2026 so as to complete all formalities, keeping in view that they are out of employment for more than two years and have been reinstated by the judgment of this Court.

So also, an undertaking would be sought from those Petitioners whose results or names are involved in the 2018 – 2019 TET Exam Result Scam, to the effect that, if they are found guilty of malpractices by any competent Court dealing with the said scam, the Corporation would initiate appropriate steps for disengaging such candidates after such a verdict of the Court. Those Petitioners whose results or names do not figure in any TET Exam Result Scam, would not be called upon to tender an undertaking.

Those who are not TET qualified will have to give an undertaking to the Corporation that they would acquire the qualification of S-TET or C-TET within a period of two years, with effect from 1st September, 2025, in view of the judgment of the Hon'ble Supreme Court dated 01.09.2025.

4. He hastens to add that it would be a different situation if the Hon'ble Supreme Court finally sets aside the judgment of this Court dated 25th September, 2025. If the SLPs of the Corporation are

dismissed, the Petitioners would also be granted continuity of service as per the judgment of this Court.

5. In view of the above, we would expect the Corporation to treat these Petitioners at par with their colleagues / employees who are comparable with them, insofar as payment of salary scales are concerned, in the light of the judgment of this Court dated 25th September, 2025. Needless to state, the final verdict of the Hon'ble Supreme Court would be binding on all the parties.

6. In view of the above, the contempt is purged. **Both these Contempt Petitions are disposed off.**

7. List the disposed off Contempt Petitions for recording compliance on **23rd February, 2026.**

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)