

ITEM NO.8

COURT NO.14

SECTION IX-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 10549/2025

[Arising out of impugned final judgment and order dated 10-06-2024 in WP No. 13150/2022 passed by the High Court of Judicature at Bombay at Aurangabad]

THE STATE OF MAHARASHTRA & ORS.

Petitioner(s)

VERSUS

SHAIKH JAWERIA KHADARSAB & ORS.

Respondent(s)

IA No. 212908/2025 - CONDONATION OF DELAY IN FILING
IA No. 212911/2025 - CONDONATION OF DELAY IN REFILING /
CURING THE DEFECTS
IA No. 212909/2025 - EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT
IA No. 212910/2025 - EXEMPTION FROM FILING O.T.

Date : 07-10-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :

Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Shrirang B. Varma, Adv.
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Mr. Adarsh Dubey, Adv.
Ms. Chitransha Singh Sikarwar, Adv.

For Respondent(s) :

Mr. Sudhanshu Chaudhari, Sr. Adv.
Mr. Samrat Krishnarao Shinde, AOR
Ms. Pranjal Chapalgaokar, Adv.
Ms. Gautami Yadav, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Delay in filing and refiling the special leave petition is condoned.
2. An additional affidavit has been filed stating therein that *vide* Resolution dated 23.06.2017, a uniform policy for recruitment of teachers in aided, partially aided and aid-eligible schools, including those run by local self-government bodies and private managements, as well as for the post of Shikshan Sevak, was notified whereunder the appointment had to be made strictly merit based on the Teacher Aptitude and Intelligence Test ("TAIT") through Pavitra Portal. It is also stated in the affidavit that first TAIT examination was conducted Online by the Maharashtra State Council of Examination ("MSCE"), Pune between 12.12.2017 and 21.12.2017 pursuant to notification dated 26.10.2017 and results thereof were declared on 01.03.2018 wherein a total of 1,71,348 candidates appeared. It is further stated in the affidavit that since first TAIT examination results could be declared on 01.03.2018, no selection could be effected through Pavitra Portal in the year 2017.
3. The contention of the learned Counsel for the petitioner is that once a procedure for appointment/recruitment based on merit and transparency was put in place, there was no occasion for the institutions to make private appointments *de hors* the procedure.

4. Matter requires consideration.
5. Issue notice, returnable in six weeks.
6. Notice on behalf of the caveat has been accepted by Mr. Samrat Krishnarao Shinde, Advocate.
7. In the meantime, it is provided that the effect and operation of the High Court's order shall remain stayed.
8. This interim order shall not come in the way of appointments through the newly adopted system of appointments.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(CHETNA BALOONI)
COURT MASTER (NSH)