

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 279 OF 2016

Al Amin Education Society	.. Petitioner
V/s	
Union of India & Ors.	.. Respondents

WITH

WRIT PETITION NO. 281 OF 2016

Azad Education Society & Anr.	.. Petitioners
V/s	
Union of India & Ors.	.. Respondents

Mr. R.M. Momin with Mr. M.S. Ansari for the petitioners.
Mr. A.I. Patel, A.G.P for respondent nos.2 and 3.
Mr. Dushyan Kumar i/b Mr. R.A. Rodrigues for the respondent –
Union of India.

CORAM: D.H. WAGHELA, CJ. & M.S. SONAK, J.

DATE : 16th MARCH 2016

P.C.:

The petitioners pray for issuance of a direction to respondent no.2 to issue a notification clarifying that the impugned notification dated 23rd March 2013 issued by respondent no.2 is not applicable to the appointment of primary teachers in minority schools either linguistic or religious. Further prayer is made to direct respondent nos.3 and 4 not to refuse or keep pending the proposals

of approval to the appointment of primary teachers in minority schools for want of TET Certificate. The petitions admittedly raise issue of academic interest and at this stage even as no grievance is made by the petitioners for their own institutions about violation of any of the fundamental rights of the petitioners.

2. It goes without saying that the law as settled by the Supreme Court would prevail in the given set of circumstances of the educational institutions concerned and no advance declaration of the kind, as prayed by the petitioners, needs to be issued in exercise of extraordinary jurisdiction of this Court. Therefore, the petitions are dismissed at this stage without prejudice to the rights of the petitioners to raise all their contentions as and when occasion arises therefor.

(M.S. SONAK, J.)

(CHIEF JUSTICE)