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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.2976 OF 2017

Poornima Pandurang Shenoy	..Petitioner
Versus	
State of Maharashtra and others	..Respondents

Mr. J. S. Kini i/by Mr. Suresh Dubey, Advocate for the Petitioner.
Mr. Abhay L. Patki, AGP for Respondent No.1.
Mr. H. C. Pimple, Advocate for Respondent Nos.2 and 3 – MCGM.
Mr. Vaibhav Jogalekar a/w Ms. Rutuja Joshi & Mr. Harshil Parikh i/by
M/s. Purnanand & Company, Advocate for Respondent Nos.4 to 6.

**CORAM: B. R. GAVAI &
B. P. COLABAWALLA, JJ.**

DATE: 12th FEBRUARY, 2018

P.C.:-

1] Petition challenges direction to the Petitioner to complete D.Ed. Course. It is the contention of the Petitioner that, direction to the Petitioner to complete D.Ed. Course is in gross violation of Government Resolution dated 11/11/2011. It is the contention of the Petitioner that, the said Government Resolution permits the Petitioner who is having B.Ed. qualification to be treated as trained teacher in the Primary School.

2] The contention of the Petitioner appears to be in gross ignorance of the law laid down by the Apex Court in the case of *State of*

*Maharashtra & Ors. Vs. Tukaram Tryambak Chaudhari & Ors*¹.

3] Full Bench of this Court in the case of *Jayashree Sunil Chavan vs. State of Maharashtra and Others*², has held that for teaching in Primary School, D.Ed. is requisite minimum qualification and B.Ed. qualification cannot be treated as equivalent thereto.

4] Apex Court in the case of *Tukaram Tryambak Chaudhari* (cited supra) has held that wherever Classes V to VII are attached to Primary School, teachers having B.Ed qualification should also be treated as qualified. Undisputedly, in the present case, Respondent No.4 is imparting education only to 1st to 4th Standards. In any case, Petitioner has been granted time upto to 2019 to obtain D.Ed. degree and the Petitioner has also been enrolled for the same.

5] In that view of the matter, we find that Petition is without merit and as such, dismissed.

(B. P. COLABAWALLA, J.)

(B. R. GAVAI, J.)

1 2007(3) Supreme 17

2 2000(3) Mh.L.J. 605