

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**34 WRIT PETITION NO.1606 OF 2023**

SAYYAD AAFREEN PARVIN MUJAFFAR ALI  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH ITS  
PRINCIPAL SECRETARY AND OTHERS

...  
Advocate for Petitioner : Mr. Panpatte V. S.  
AGP for Respondents/State : Mr. P.S. Patil  
...

**CORAM : RAVINDRA V. GHUGE &  
SANJAY A. DESHMUKH, JJ.  
DATE : 13<sup>th</sup> February, 2023**

**PC. :-**

1. The petitioner has put-forth prayer clause-B as under:  
  
*“B) By a writ of mandamus or any other appropriate writ or direction in the like nature, the respondent no.3-Education Officer may kindly be directed to grant approval to the appointment of the petitioner as Shikshan Sevak from 16.06.2014 to 15.06.2017 in the respondent no.6-school by modifying the approval order dated 14.06.2018 at Exhibit 'G' and further to grant permanent approval to the services of the petitioner as Assistant Teacher in regular pay-scale from 16.06.2017 within a period of four weeks;”*
2. The learned AGP points out that the petitioner is involved in the TET examination scam. Her service has been protected by the interim order. The issue with regard to TET being applicable to the minority institution, is pending before the Hon’ble Supreme Court.

3. In view of the above, this petition need not be entertained at this stage since the petitioner will first have to clear himself from the TET scam . So also, if it is held by the Hon'ble Supreme Court that the TET would not be applicable to the minority institutions, the petitioner can thereafter approach the competent authority for seeking approval in the light of the law laid down. In such situation, the present order dated 14.06.2018 which is sought to be challenged in 2023, would not be an impediment.

4. This petition is, therefore, disposed off.

**[SANJAY A. DESHMUKH, J.]**

**[RAVINDRA V. GHUGE, J.]**