

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

951 WRIT PETITION NO. 8727 OF 2023

MOHAMMAD AZAM KHAN SALEEM KHAN
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Maniyar Irfan D.
AGP for Respondents : Mrs. M.A. Deshpande
Advocate for Respondent Nos. 3 & 4 : Mr. Yogita Thorat
Advocate for Respondent Nos. 5 & 6 : Mr. B.P. Gonare
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 21 JULY 2023

PER COURT :

Heard.

2. The petitioner who has been serving in the minority institute as a teacher, is seeking approval to his appointment which has been turned down by the impugned order by the respondent on the count that he has not passed TET.

3. The decision of this Court holding that the provisions regarding mandatory TET is applicable even to minority institutions is under challenge before the Supreme Court, which has granted *status quo*.

4. The Education Officer – respondent no. 3, shall take fresh decision on its own merits and shall not refuse to grant approval on the grounds mentioned in the

impugned communication. The decision shall be taken as expeditiously as possible and in any case within a period of six weeks from today. The approval would be subject to the decision in the matter before the Supreme Court.

5. The Writ Petition is disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

spc/