



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

WRIT PETITION NO. 8235 OF 2023

SHAHREEN MEMORIAL TRUST KASODA THROUGH ITS SECRETARY
ABDUL AZIZ ABDUL BARI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND ANOTHER

...
Advocate for Petitioners : Mr. M. N. Shaikh holding for
Mr. S. S. Kazi
Addl. GP for Respondent No.1 : Mr. P. S. Patil
Advocate for Respondent No.2 : Mr. V. V. Gujar
...

**CORAM : S. G. MEHARE &
SHAILESH P. BRAHME, JJ.**

DATE : 12-11-2024

PER COURT:-

1. Mr. Gujar, the learned counsel waives service of notice for respondent No.2.
2. Heard both sides.
3. The petitioners are challenging the communication dated 21.06.2023 issued by respondent No.2 - The Education Officer (Primary), Zilla Parishad, Jalgaon, rejecting the proposal seeking inclusion in *Shalaarth Pranali*.
4. The reason assigned by respondent No.2 - Education Officer in rejecting the proposal is, the petitioner No.2 did not acquire the TET qualification within the prescribed time. The issue of TET

requirement is *sub judice* before the Honourable Supreme Court, in the case of ***Director of School Education, Chennai and another vs. B. Annie Packaiarani Bai and another in Special Leave Petition (Civil) Diary No.17702 of 2021.*** In that case, the Hon'ble Supreme Court has granted the order of *status quo*.

5. In that view of the matter, the reason assigned is unsustainable. Respondent No.2 - Education Officer is expected to forward the proposal to the Deputy Director of Education.

6. Hence, the following order:-

ORDER

- i) The writ petition is partly allowed.
- ii) The impugned communication is quashed and set aside.
- iii) Respondent No.2 - Education Officer (Primary), Zilla Parishad, Jalgaon, is directed to forward the proposal for inclusion of the name of petitioner No.2 in the *Shalaarth Pranali*, to the Deputy Director of Education, Nashik, within two weeks.

[SHAILESH P. BRAHME]
JUDGE

[S. G. MEHARE]
JUDGE