



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

**WRIT PETITION NO. 9140 OF 2024**

**RANJEET KAUR RAJINDER SINGH PUJARI  
VERSUS  
THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS**

...

Advocate for Petitioner : Mr. Tukaram Maruti Venjane

AGP for Respondents/State : Mr. V.M. Chate

...

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

**DATE : 26 AUGUST 2024**

**PER COURT :**

. The petitioner is challenging order passed by the respondent (Education Officer) dated 20.08.2024 (Exhibit-G), refusing to grant approval to her appointment as Shikshan Sevak on the ground that she was appointed after 13.02.2013, but was not TET qualified.

2. It is a matter of record that the question of mandatory nature of TET is sub-judice before the Supreme Court. It is also being pointed out that in the matter of **Director of School Education, Chennai and another Vs. B. Annie Packiarani Bai and another**, in Special Leave Petition (Diary) No.17702/2021 on 14.02.2022, the Supreme Court has framed following specific issue :

“The important question of law which is raised in the present SLP is whether the Department can insist for TET examination passed in case of Teacher of a minority institution and whether providing such a qualification would effect any

of the rights of the minority institution guaranteed under the Constitution of India?”

3. In view of above, it would be appropriate that the Education Officer is directed to reconsider the proposal for grant of approval so that he can examine the proposal on its own merits and would not be guided by only the TET qualification, which the petitioner did not possess. Since it is a matter of salary, it would be appropriate, as this Court has been consistently doing, to solicit undertaking on an affidavit to forego all the benefits, even if she is granted approval, depending upon the decision of the Supreme Court.

4. The writ petition is allowed partly. The impugned order is quashed and set aside.

5. The petitioner shall furnish an undertaking on affidavit sworn before the Registrar (Judicial) expressly declaring that she would forgo all the benefits derived from the approval if at all it is granted now by the Education Officer and in case, the decision of Supreme Court goes against her.

6. She shall produce a copy of the affidavit before the Education Officer, who shall pass a fresh order on her proposal on its own merits as expeditiously as possible and in any case within four weeks. However, he shall not reject it on the ground of want of TET qualification.

**[ SHAILESH P. BRAHME, J.]**

**[ MANGESH S. PATIL, J.]**