



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.299 OF 2025

ANUMAN ISHAT E TALEEM SOCIETY AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH
PRINCIPAL SECRETARY AND ANOTHER

...
Advocate for the Petitioner : Ms. Fatema S. Kazi h/f. Mr. S.S. Kazi
AGP for Respondents: Mr. Amar V. Lavte
...

CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.

DATE : 09.01.2025

PER COURT:

The petitioner - institution and its employees are taking exception to the order passed by respondent No. 2 – Education Officer (Secondary) dated 21.11.2024 refusing to accord approval to the appointment of the petitioner No.2 on the ground that she has not cleared the TET.

2. We have heard both the sides.
3. The petitioner claims to be a minority institute and its stand is that its employees are not required to clear TET.
4. A decision of this Court holding that even for minority institutes, their teachers are mandatorily required to clear TET is subject matter of challenge before the Supreme Court.

5. Independently, even the issue regarding mandatory nature of the TET is sub judice before the Supreme Court in another matter. In Special Leave to Appeal No.8300 of 2021 the Supreme Court has granted *status quo* dated 05.07.2021.

6. In such peculiar circumstances, this Court has been consistently directing the Education Officer to take decision for grant of approval without indicating or resorting to the reasoning of non-clearance of TET, making the approvals accorded subsequently coterminous with the final outcome of the matter before the Supreme Court.

7. The writ petition is allowed partly.

8. The impugned order is quashed and set aside.

9. The respondent No. 2 – Education Officer shall take a fresh decision on the same proposal for grant of approval to the petitioner No.2 as expeditiously as possible and in any case within six weeks. However, he shall not reject it on the ground mentioned in the impugned order. The approval, if any, accorded subsequently to the petitioner No.2's appointment shall be subject to the final outcome of the matter before the Supreme Court.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)