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

935 WRIT PETITION NO. 1664 OF 2025

BIBI HAJERA SHAIKH SAJED

VERSUS

1. THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY, EDUCATION DEPARTMENT, MUMBAI
2. THE EDUCATION OFFICER, PRIMARY EDUCATION, ZILLA
PARISHAD, BEED
3. ANJUMAN ISHAT E TALIM, BEED
4. MILIYA GIRLS PRIMARY SCHOOL, BEED

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Mr Shaikh Tarek Mobin H., Advocate for petitioner

Mr M. K. Goyanka, A.G.P. for respondent No.1

Mr Om Totawad, Advocate h/f Mr P. D. Suryawanshi, Advocate for
respondent No.2

Mr R. K. Pathan, Advocate for respondent Nos.3 and 4

CORAM : MANGESH S. PATIL

AND

PRAFULLA S. KHUBALKAR, JJ.

DATE : 5th February, 2025

PER COURT:

1. Heard both the sides.
2. The petitioner is taking exception to the communication dated 28/01/2025, whereby Respondent No.2/Education Officer (Primary), Zilla Parishad, Beed has refused to consider the proposal for grant of approval to her appointment as a 'Shikshan Sevak' only on the ground that she was not Teachers Eligibility Test (TET) or Central Teachers Eligibility Test (CTET) qualified.

(2)

3. In the light of the fact that the mandatory nature of the TET and CTET qualification qua the minority institutes and that of other than minority institutes is seized with the supreme court, it would be appropriate that the matter is remitted back to the Education Officer (primary) for considering the proposal from all the angles, except such TET or CTET qualification.

4. With this limited observation, the writ petition is partly allowed. The impugned order is quashed and set aside. The matter is remitted back to the respondent No.2/ Education Officer (Primary), who shall reconsider the proposal of the petitioner for grant of approval to her appointment, on its own merits, but shall not reject it on the ground mentioned in the impugned communication dated 28/01/2025.

5. The decision shall be taken as expeditiously as possible and in any case within a period of five weeks.

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)

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