



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO. 10371 OF 2025

Allahrakhi Chiraguddin Shaikh

VERSUS

The State Of Maharashtra Through Its Secretary And Others

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Advocate for Petitioner : Mr. S.R. Kolhare

AGP for Respondents : Mr. R.S. Wani

CORAM : SMT. VIBHA KANKANWADI
AND

HITEN S. VENEGAVKAR, JJ.

Dated : November 04, 2025

PER COURT :-

1. In view of our order dated 3.10.2025, learned AGP has taken instructions from respondent no.2. He submits that petitioner's service that has been left is to the extent of four years and nine months.

2. In view of the observations in paragraph no.216 in **Anjuman Ishaat-E-Taleem Trust Vs. The State of Maharashtra and others (Civil Appeal No.1385 of 2025)** decided by the Hon'ble Supreme Court on 1.9.2025, the teachers, who have less than five years service left, have been allowed to continue in service till they attain the age of superannuation without qualifying the "TET."

3. Learned advocate appearing for the petitioner, upon instructions, makes a statement that, petitioner is not

going to claim any promotion. For our convenience, we reproduce paragraph no.216, which reads thus :-

“216. Bearing in mind their predicament, we invoke our powers under Article 142 of the Constitution of India and direct that those teachers who have less than five years’ left, as on date, may continue in service till they attain the age of superannuation without qualifying the TET. However, we make it clear that, if any such teacher (having less than five years’ service left) aspires for promotion, he will not be considered eligible without he/she having qualified the TET.

4. It can be seen that the impugned order dated 23.12.2024 has been passed only on the ground that the petitioner has not cleared ‘TET’ examination, however, in view of paragraph no.216 of **Anjuman-Ishaat** (supra), we set aside the impugned order dated 23.12.2024. Respondent no.2 is therefore now directed to forward the proposal to Deputy Director of Education, Nashik Region, Nashik i.e. respondent no.3 within a period of Three (3) weeks from today. Respondent no.3 to take up further procedure to include name of the petitioner in “Shalarcha-ID” as per the proposal of respondent nos.4 and 5. The consequential benefits would then follow.

5. With these observations, writ petition stands disposed of.

(HITEN S. VENEGAVKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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