

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6035 OF 2024

Shoaib Ahmad Aqueel Ahmad

.. Petitioner

Versus

State of Maharashtra & Ors.

.. Respondents

Ms. Manisha Desai a/w Panthi Desai i/b. M/s. M. P. Vashi & Associates.
for the Petitioner.

Ms. Nisha Mehra, AGP for the Respondent-State.

CORAM: RAVINDRA V. GHUGE &
GAUTAM A. ANKHAD, JJ.

DATE: JULY 15, 2025

P. C.

1. Heard the learned Advocate for the Petitioner and the learned AGP
for the State.

2. It is undisputed that the Petitioner is a graduate with D.Ed
qualification. In the case of *Hina Kausar Mohammad Riyaz (Writ*

Petition No. 8534 of 2023 and group of cases) decided on 14th September, 2023 at Aurangabad, we had concluded that there are three modes by which a candidate could be eligible to be selected and appointed in the said selection process. Candidates having the qualification like TET/CTET or graduation+B.A., fall in these three modes. In the instant case, the present Petitioner does not fall in any of these three categories.

3. The learned Advocate for the Petitioner has placed heavy reliance on an order passed by this Court dated 8th May, 2024 in ***Writ Petition No. 6543 of 2024 (Quazi Ankhlaque Haider Rabiuddin and others Vs. The State of Maharashtra and others)***, wherein this Court has observed in paragraph 5 (d) that those candidates falling in clause (d), could be considered for entering their names in the ‘Shalarth ID’ on their own merits, if they have the valid approval, except for the reason that they are not TET qualified.

4. The learned AGP points out that the case of the present Petitioner would be covered by the view taken by this Court in the case of ***Stephie***

Sushant Ransing Alias Stephie Sebastian John Vs. the State of Maharashtra and others (Writ Petition No. 16423 of 2023), decided on 12th November, 2024 and in the case of ***Utkarsh Devidas Bachhav and others Vs. the State of Maharashtra and others (Writ Petition No. 7398 of 2024)***, decided on 25th November, 2025. Paragraph 3(C) in the case of ***Utkarsh Devidas Bachhav (Supra)***, reads as under:-

“(C) Candidates who have not cleared the TET/CTET, were appointed by a Management in an Institution which had no salary grants and such candidates were granted approval to their appointments on no grant basis by the Education Officers.”

Some Candidates who have not cleared TET/CET were appointed by the Management in an Institution which had no salary grants and such Candidates were granted approval to their appointments on ‘no grant’ basis by the Education Officers.

5. In view of the above, **this Petition is disposed off** with the observations that if the Petitioner passes the MTET or CTET, any time in future he would be at liberty to seek approval on ‘Grant in Aid’ basis and consequently a Shalarth ID. Until then, since the approval is on ‘No Grant in

Aid' basis and he is not entitled for an approval on 'Grant in Aid' basis, the employer would continue the Petitioner in employment, and pay salary to the Petitioner from its accounts keeping in view that the Petitioner has an approval on 'No Grant in Aid' basis.

[GAUTAM A. ANKHAD, J.]

[RAVINDRA V. GHUGE, J.]