

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

(920) WRIT PETITION NO.11803 OF 2025

Nayana Mohan Tupange alias
Nayana Vithal Nimase and Anr.Petitioners

Versus

The State of Maharashtra and Ors.Respondents

WITH

(921) WRIT PETITION NO.11804 OF 2025

Kavita Damodar Nichite alias
Ankita Ankush Nimase and Anr.Petitioners

Versus

The State of Maharashtra and Ors.Respondents

WITH

(922) WRIT PETITION NO.11805 OF 2025

Jaywant Dattatray Late and Anr.Petitioners

Versus

The State of Maharashtra and Ors.Respondents

WITH

(923) WRIT PETITION NO.11806 OF 2025

Sarita Madhukar Patil alias
Sarita Nilesh Tarmale and Anr.Petitioners

Versus

The State of Maharashtra and Ors.Respondents

Mr. Narendra V. Bandiwadekar, Senior Advocate a/w. Mr. Vinayak R. Kumbhar and Mr. Rajendra B. Khaire i/b. Mrs. Ashwini N. Bandiwadekar for the Petitioners in all Petitions.

Mr. Karan Thorat, B Panel Counsel a/w. Mr. S.H. Kankal, AGP for Respondent Nos.1 to 3 in WP/11803/2025.

Mr. A.R. Deolekar, AGP for the Respondent – State in WP/11804/2025.

Mrs. N.M. Mehra, AGP for the Respondent – State in WP/11805/2025.

Mr. A.K. Naik, AGP for the Respondent – State in WP/11806/2025.

**CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.**

DATE : 16th SEPTEMBER, 2025

P.C. :-

1. We have considered the submissions of the learned Senior Advocate on behalf of the Petitioners and the learned AGPs on behalf of the Respondents. We have also perused the Petition Paper Book in the light of their contentions.

2. We find the following glaring aspects :

(i) The first proposal for approval was tendered by the Management with regard to these employees in 2017. By an order dated 13th September, 2019, the Education Officer (Secondary), Zilla Parishad, Thane, raised certain objections. The Management submitted a revised proposal with the covering letter dated 27th November, 2019, specifically pointing out that as the Teachers at issue are teaching the 9th and 10th standard students, the requirement of TET is not a compulsion;

(ii) Yet, the Education Officer passed an order dated 22nd February, 2023 again raising the TET objection and also the advertisement objection, knowing well that the advertisement was published in one of the largest circulated newspapers in Maharashtra, i.e., Dainik Lokmat;

(iii) The Management again clarified with the covering letter dated 24th August, 2023, and once again tendered additional information. Despite the passage of two years, the proposal is still lying on the table of the Education Officer.

3. We could have taken cognizance of the manner in which the Education Officer has prolonged this issue. However, to grant a last chance, we are avoiding making any observations.

4. Considering the above, **all these Writ Petitions are disposed off**, with the following directions :

(a) The objection with regard to the TET qualification is overruled;

(b) The objection with regard to the advertisement having been published in Dainik Lokmat, is overruled;

(c) The objection with regard to the seniority list of the Teachers in the School, which is already tendered along with the covering letter dated 27th November, 2019, is also overruled;

(d) On the remaining objections at serial nos.2,4,6 and 7, the Education Officer will give a personal hearing to the Management on 30th September, 2025 at 11.00 a.m. in his office;

(e) We clarify that no further objections will now be raised.

5. We are passing this unusual order considering the peculiar facts recorded above, and this shall not lay down a precedent for the grant of a personal hearing, as mentioned in paragraph no.4(d) hereinabove.

6. After the hearing in the matter is concluded, the Education Officer would pass a reasoned order, on or before 10th October, 2025.

7. In the event the approval is granted, further steps for grant of Shalarth ID would be initiated. However, if the approval is refused to any of these Petitioners/employees, the aggrieved person would be at liberty to avail of a remedy as is permissible in law.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)