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

(Sr. No. 908) WRIT PETITION NO. 16559 OF 2025

Dipali Santram Dhavare ... Petitioner
Versus
The Education Officer
(Secondary) And Ors. ... Respondents

**WITH
(Sr. No. 909) WRIT PETITION NO. 16561 OF 2025**

Vidya Hanumant Mahadik ... Petitioner
Versus
The Education Officer
Secondary Zilla Parishad Pune
& Ors. ... Respondents

Mr. Rajaram Deshmukh a/w Mr. Aryan Deshmukh, Advocates for the
Petitioners in both Writ Petitions.

Mrs. Nisha Mehra, AGP for Respondent -State in WP No. 16559 of
2025.

Ms. Priyanka Chavan, AGP for Respondent – State in WP No. 16561 of
2025.

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

DATE : 10th DECEMBER, 2025

P.C. :

1. We have considered the submissions of the learned
Advocate for the Petitioners and the learned AGPs. The issue raised in
this Petition is no longer res integra. Admittedly, both the Petitioners had

not acquired their TET or CTET qualification, prior to the cut off date of 31st March, 2019. The Petitioner in the Petition, Dipali, acquired the CTET qualification on 28.08.2020 and the second Petitioner Vidya, acquired the same qualification on 31.07.2024.

2. Respondent Nos.3 & 4 are formal parties and support the Petitioner. Hence, notice is not issued to these two Respondents.

3. Both the Petitioners have not been granted any approval and a Shalarth ID as they did not have the requisite qualifications to be an Assistant Teacher. This issue is now settled by the Hon'ble Supreme Court in *Anjuman Ishaat-E-Taleem Trust v/s. State of Maharashtra and Others (2025 SCC OnLine SC 1912)*, wherein it is concluded that a candidate who has acquired the TET qualification after the cut-off date, can be retained in employment. A candidate who has less than 5 years of service, has an option of acquiring such qualification if he desires promotion. If he does not desire promotion, he need not acquire the said qualification. Those employees who have more than 5 years in employment, shall acquire the TET qualification within 2 years, failing which, their services would be dispensed with.

4. This dictum of the Hon'ble Supreme Court has guided this Court in delivering a **Judgment on 11.09.2025 in Writ Petition No. 7943 of 2024, Sagar Dattatray Chorghe v/s. The State of Maharashtra & Others.**

5. In view of the above, both the Petitioners would now be eligible for the approval to their appointments, from the date on which they have acquired the TET or the CTET qualification. If the posts occupied by them are grant-in-aid-posts, the commensurate salary from the grants would be payable from the date of acquiring such qualification. In short, they would be entitled to arrears depending upon the salary grants to the Institution.

6. In the event any of the Petitioners are involved in the TET exam result scam of 2018 or 2019 and if they are convicted, the employer would be at liberty to follow the due procedure for initiating action against such employees.

7. **Writ Petitions are disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)