

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUO MOTU REVIEW PETITION NO. 1 OF 2025
IN
WRIT PETITION NO. 3639 OF 2025**

High Court on its own Motion	...Petitioner
Versus	
Harmeet Kaur Paramjeet Singh Godi And Ors.	...Respondents

Mr. Rahul Shivaji Kadam a/w Mr. Vedant Babar, Advocates for the Petitioner.
Mr. Atul Vanarse, AGP for the State/Respondent.
Mr. Shivprasad D. Borade, Advocate for the Respondent/BMC.

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

DATE : 26th SEPTEMBER, 2025.

P.C. :

1. Yesterday, while hearing the learned Advocates in Writ Petition No. 12122 of 2025 (***Shilpa Singh v/s. The State of Maharashtra And Others***), the learned Advocate Shri. Rahul Kadam, who was appearing for the Petitioner in the said matter, fairly brought it to our notice that in Writ Petition (Lodging) No. 25046 of 2025 (***Harmeet Kaur Paramjeet Singh Godi v/s. The State of Maharashtra And Others***), this Court has delivered a judgment on 15th September, 2025 granting benefit to the Petitioner with retrospective effect.

2. Having brought to our notice, we could gather that in the

said judgment dated 15th September, 2025, we have partly allowed the petition in terms of prayer clauses (A) & (B), which were copied and pasted in the order.

3. Heard the learned Advocates for the appearing parties.

4. In ***Sagar Gopichand Bahire v/s. The State of Maharashtra And Others*** (Writ Petition No. 4904 of 2020 along with connected matters decided on 16th June, 2021), this Court concluded that all those teachers, who do not have the TET qualification after the advent of the TET regime, until 31st March, 2019, which was the deadline, should be terminated from the services. As interim relief in those group of cases, ***Sagar Gopichand Bahire*** (*supra*), was protecting the Petitioners for a long time, this Court directed *status quo* to be maintained to enable the Petitioners to approach the Hon'ble Supreme Court. After several such Petitioners approached the Hon'ble Supreme Court, various interim orders have been passed, which are undisputed, protecting all these teachers against termination, but, by directing *status quo* as existing then, to be maintained.

5. Hence, we *suo motu* listed this petition today for review.

6. The learned Advocate for the Petitioner has rightly pointed out paragraph no. 214 of the judgment of Hon'ble Supreme Court dated

1st September, 2025 in **Anjuman Ishaat-E-Taleem Trust v/s. The State of Maharashtra And Others** (Civil Appeal No. 1385 of 2025 and connected Appeals), which reads as under :-

“214. Per the detailed discussions above and resting on the same, we hold that the provisions of the RTE Act have to be complied with by all schools as defined in Section 2(n) of the RTE Act except the schools established and administered by the minority – whether religious or linguistic – till such time the reference is decided and subject to the answers to the questions formulated above under section VII. Logically, it would follow that in-service teachers (irrespective of the length of their service) would also be required to qualify the TET to continue in service.”

7. In view of the observations of Hon’ble Supreme Court in paragraph no. 214 reproduced above, the issue as to whether TET qualification can be mandated to the teachers working in the minority institutions, has been referred to a Larger Bench vide the direction of Court in paragraph nos. 207 to 213 of the said judgment. In such circumstances, the *status quo* order passed earlier in **Sagar Gopichand Bahire** (*supra*) and in various appeals by the Hon’ble Supreme Court, would continue to apply even to the teachers working in the minority institutions.

8. In **Harmeet Kaur Paramjeet Singh Godi** (*supra*) before us, the Petitioner acquired the CTET qualification on 27th December, 2019.

It is in this context that we partly allowed the petition. The learned Advocate for the Petitioner submits that if this Court is to review the directions below paragraph no. 8, the request of the Petitioner that eventually if the Petitioner is held to be exempted from TET/CTET, as she is working in a minority institution, she should be declared entitled for monetary benefits. We find that the learned Advocate for the Petitioner is right in his submissions.

9. In view of the above, by consent of the parties, paragraph no. 8 of the judgment dated 15th September, 2025, is modified as under :-

“8. As such, this Petition is partly allowed as under :-

(A) Since the Petitioner has acquired CTET qualification on 27th December, 2019, she would be entitled for all arrears of monetary benefits as may be available to her prior thereto, from the management. She would be entitled for salary from the State Government through the salary grants to the extent they are admissible, with effect from 27th December 2019, when she acquired the CTET qualification.

(B) In the event the Hon’ble Supreme Court’s Larger Bench concludes that the TET, meaning the STET or CTET, is not mandatory for the teachers working in the minority institutions, the Petitioner would be entitled to claim all monetary benefits from the date the institution has received salary grants or from the date on which the Petitioner was appointed as an Assistant Teacher, whichever is later.”

10. With the above directions, the judgment dated 15th September, 2025 stands reviewed by this order. The reviewed judgment shall be uploaded.

[ASHWIN D. BHOBE, J.]

[RAVINDRA V. GHUGE, J.]

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