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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2841 OF 2026

Reshma Mujeeb Khan

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Rahul S. Kadam, Advocate for the Petitioner.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.R. Deolekar, AGP for the Respondent/State.

Mr. Digambar Kawale a/w Mr. Santosh Parad, Advocate for the Respondent/BMC.

CORAM : RAVINDRA V. GHUGE

&

HITEN S. VENEGAVKAR, JJ.

DATE : 16th APRIL, 2026

P.C. :-

1. Admittedly, the Petitioner who joined employment on 16th December, 2013 as a Shikshan Sevak, did not have the Teachers Eligibility Test ('TET') qualification. Approval has still not been given to her appointment, since she does not have the TET qualification.

2. It is now a settled law in the light of *Anjuman Ishaat-E-Taleem Trust V/s. The State of Maharashtra and Ors., 2025* and

Sagar Dattatray Chorghe V/s. The State of Maharashtra & Ors.

Judgment dated 11th September, 2025 in Writ Petition No.7943 of 2024 along with Writ Petition No.861 of 2025, that unless the Petitioner acquires the TET/CTET qualification within two years from the date of the Judgment in *Anjuman Ishaat-E-Taleem Trust (Supra)* dated 1st September 2025, i.e., until 1st September 2027, the Petitioner cannot be granted further service benefits. If she acquires this qualification, she would be appointed as an Assistant Teacher after completion of three years as a Shikshan Sevak w.e.f. 16th December, 2016, but without monetary benefits of any nature whatsoever, till the date of acquiring the TET qualification.

3. All service benefits would be available to the Petitioner w.e.f. the date on which she acquires the TET qualification. Once such TET qualification is acquired, the order of termination of the Petitioner would lose its efficacy and the Petitioner would be reinstated in service subject to the directions issued below Paragraph No.18 in Writ Petition No.5783 of 2022 (***Uzma Sadaf Zainuddin Shaikh & Ors. V/s. Union of India & Ors.***), decided vide Judgment dated 25th September, 2025.

4. For brevity, we are reproducing Paragraph No.18 in *Uzma Sadaf Zainuddin Shaikh (supra)*, hereunder :-

*“18. In view of the above, these **Writ Petitions are partly allowed**, with the following directions:*

(a) The order of termination dated 28th April, 2022 is quashed and set aside;

(b) The BMC shall reinstate all these Petitioners in employment and shall place them on particular duties in particular Schools, on or before 30th November, 2025, since they would require some time to take appropriate decisions;

(c) If the Petitioners are working in positions for which salary grants are available, they shall be entitled to back wages from the date they acquired the TET qualifications;

(d) Those Petitioners who still do not have the TET qualifications, considering the mandate of the Hon'ble Supreme Court that candidates shall acquire the qualification within two years (if they have more than five years of service left for superannuation), these Petitioners shall be reinstated in service by the BMC, but shall not be entitled to the salaries payable through the salary grants of the State. Similarly, they will not be entitled to back wages. After they acquire the STET/CTET within 2 years, they can seek salary from the grants with effect from the such dates.”

Needless to state, after acquiring TET qualification and after submitting the affidavit undertaking, the Petitioner would be reinstated in service.

5. This **Writ Petition is disposed off** in the above terms.

(HITEN S. VENEGAVKAR, J.) (RAVINDRA V. GHUGE, J.)