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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

(906) WRIT PETITION NO. 2840 OF 2026

Shaikh Aarisha Sabir ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
(908) WRIT PETITION NO. 2848 OF 2026

Pathan Asma Ramzan ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
(909) WRIT PETITION NO. 2969 OF 2026

Ustad Rozeena Afroz Khajabhai ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
(910) WRIT PETITION NO. 2970 OF 2026

Kalpana Narsu Kesarkar ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

Mr. Rahul Kadam, Advocate for the Petitioners in all Petitions.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. P.N. Diwan, AGP for the Respondent/State in WP/2840/2026.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.K. Naik, AGP for the Respondent/State in WP/2848/2026.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. M.P. Thakur, AGP for the Respondent/State in WP/2969/2026.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. M.M. Pable, AGP for the Respondent/State in 2970/2026.

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. In all these matters, the Petitioners are identically placed. The Respondents do not dispute.

2. The learned Advocate for the Corporation submits that these Petitioners are identically placed as like the Petitioners in Writ Petition No.5783 of 2022 (*Uzma Sadaf Zainuddin Shaikh & Ors. V/s. Union of India*) and connected Petition, which were decided by the Judgment of this Court dated 25th September, 2025. It is also undisputed that all these Petitioners before us today have acquired their Teachers Eligibility Test ('TET') qualifications after the cut-off date 31st March, 2019.

3. In view of the above, all these Petitioners are covered by the view taken by the Hon'ble Supreme Court in ***Anjuman Ishaat-E-Taleem Trust V/s. The State of Maharashtra and Ors., 2025 SCC OnLine SC 1912.***

4. In *Uzma Sadaf Zainuddin Shaikh (Supra)*, we had issued the following directions under Paragraph No.18 :

'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.'

5. In view of the above, the directions set out in Paragraph No.18 [b to d] would be squarely applicable to the present Petitioners. Each of them would tender their personal affidavit undertaking to the Municipal Corporation by 5:00 p.m. on 20th April, 2026. Subject to this condition and the above imposed conditions, the orders of termination of these individual Petitioners are quashed and set aside. They would be reinstated on 30th April, 2026, only after they tender their affidavit undertakings.

6. In view of the above, all these **Writ Petitions are partly allowed** in the above terms.

(HITEN S. VENEGAVKAR, J.)

(RAVINDRA V. GHUGE, J.)