

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3522 OF 2015

**SHIVCHHATRAPATI SARVAJANIK WACHNALAYA, LATUR
VERSUS
STATE OF MAHARASHTRA AND OTHERS**

...
**Petitioner : Mr.Chandrakant V. Patil Party In Person
AGP for Respondents: Mr.S.B.Yawalkar for R.1 to 5.**
...

**CORAM : S.C.DHARMADHIKARI &
MANGESH S. PATIL,JJ.**

DATE : 19/06/2017

PER COURT :-

1] After having perused the latest report of the inspection and audit, copy of which is taken on record and marked "X" for identification, we are of the opinion that the earlier actions were not justified.

2] On the own showing of the respondents and particularly the Directorate of Libraries, Government of Maharashtra, Mumbai, this library is recognised by the Government from 1997. It has always been functioning else we would not find that suddenly at one inspection 5848 books in the Accession Register would be entered. Secondly there is a Librarian, there is a staff and also there is furniture and other infrastructure available. The details of the same would reveal that the inspecting team/auditors have arrived at a conclusion that the library satisfies the minimum criteria stipulated by the Government. This is a report of 13/06/2017.

3] Once such a report is on record and we find that the contents of the same are also disclosed to the petitioner, his apprehension does not survive.

4] Every adverse action and order which is challenged in the Petition then would not survive. We direct that they stand quashed and set aside and on account of the intervention by the Court. We feel that once the Petitioner satisfies minimum criteria and there has been a report after verification/scrutiny, inspection and audit, then, the Library and its office bearers need to be encouraged. If at remote places in the State of Maharashtra such libraries are set up at village and taluka level, there is enough encouragement to read books, by making them available at reasonable fees to the enrolled members, then the Government all the more should release all the grants expeditiously. The funds and other assistance should continue uninterrupted if the rules permit. While granting and releasing the funds even arrears should be released. We expect the Director of Libraries, Department of Higher and Technical Education to take note of the petitioner's activities. The petitioner should not be compelled to come to this Court again and again.

5] With the above, we quash and set aside the impugned orders. We direct the Government should release the grants including arrears as claimed in prayer clause (B) by the petitioner. The grants be released as expeditiously as possible and within a period of three months from today. The Writ Petition is disposed of. No costs.

(MANGESH S. PATIL,J.)

(S.C.DHARMADHIKARI,J.)

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