

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11308 OF 2016

VANDE MATRAM PUBLIC LIBRARY
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Shri Veer Shrikant T.
AGP for Respondents 1 to 3 : Shri Basarkar A.P.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: December 07, 2017

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PER COURT :-

1. By this petition, the petitioner seeks to challenge the order dated 31.12.2013 passed by respondent No.2, by which, the grade of the petitioner public library was reduced from "B" to "C" from the financial year 2013-14.

2. I have considered the strenuous submissions of the learned counsel for the petitioner and the learned AGP for respondents, on 6.12.2017.

3. After considering the submissions of the parties, I have perused the inspection report dated 24.3.2013 and the subsequent inspection report dated 18.5.2013. Since I noticed from the

inspection reports several serious deficiencies, I had called upon the learned counsel for the petitioner as to whether this petition be admitted and all challenges put forth in the petition be considered at the final hearing stage or whether the petitioner library is willing to face the fresh inspection which is likely to occur in 2018 and seek the upward gradation from category "C" to category "B" as per Rule 12 of the Maharashtra Public Libraries (Recognition for Grant in Aid and building and Equipment Grants) Rules, 1970 ("the said Rules").

4. Learned counsel for the petitioner, upon taking instructions, submits today that as the petitioner has caused several improvements in the Library, the petitioner is willing to undergo a fresh inspection in 2018 and would renew its request for the upward gradation from category "C" to "B".

5. Learned AGP appearing on behalf of the respondents submits that as the fresh inspection that may occur in 2018, the library of the petitioner would be inspected strictly as per Rule 12. The status of the Library, as would emerge from the inspection, would be examined for considering the request for the upward gradation, as per the policies of the State.

6. Considering the above, this petition is disposed off. Needless

to state that, the issue as to whether the petitioner deserves the grade "B", would depend upon the inspection of the petitioner Library, as per Rule 12 of the said Rules and the policies of the State Government.

(RAVINDRA V. GHUGE, J.)

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