

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

WRIT PETITION NO. 6926 OF 2018

Kalpana Library Barhanpur
Through its Secretary
Dattatray Laxman Kale

...PETITIONER

VERSUS

The State of Maharashtra & ors.

...RESPONDENTS

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Mr H.D. Deshmukh, Advocate for petitioner
Mrs. V.N. Patil-Jadhav, Assistant Government Pleader for
Respondent Nos. 1 to 4

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**CORAM: S.V. GANGAPURWALA AND
A.M. DHAVAL, JJ.**

DATED : 23rd January, 2019

ORAL ORDER :

1. We have heard the learned Counsel for the petitioner and the learned Assistant Government Pleader.

2. The petitioner assails the order cancelling registration of its library, so also, the order dismissing the appeal.

3. Reference is made to the inspection report for the year 2013-2014 dated 23.05.2013. Perusal of the order of the Hon'ble Minister, it does not appear that the said report has been considered. The Hon'ble Minister was dealing with the appeal. He ought to have considered all the reports and contentions of the report and thereafter, ought to have passed the order.

4. As the inspection report is not considered, we set aside the order passed by the Hon'ble Minister and remit the matter back to the Hon'ble Minister for deciding the appeal afresh. The petitioner may place on record the inspection reports. The Hon'ble Minister shall take decision expeditiously in the said appeal. The writ petition is partly allowed. No costs.

(A.M. DHAVAL, J.) (S.V. GANGAPURWALA, J.)

mta