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IN THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR (CHHATTISGARH)

W.P. (227) No. ^C7397 Of 2010.

PETITIONER
APPLICANT

:: Virendra Agrawal, S/o. late
Shri Ram Narayan Agrawal,
aged about 65 years, R/o.
Vidya Nagar, Bilaspur, Tahsil
& District Bilaspur (C.G.),

Versus

RESPONDENTS
Non-applicants

- :1) State of Chhattisgarh through
Additional Collector, Bilaspur
District Bilaspur (C.G.)
- :2) Nazul Officer, Bilaspur, District
Bilaspur (C.G.)
- :3) Additional Collector, Bilaspur,
District Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLES 226/227 OF
THE CONSTITUTION OF INDIA

PETITIONER



59

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B: Hon'ble Shri Prashant Kumar Mishra

Writ Petition (C) No. 7597/2010

PETITIONER : Virendra Agrawal

Versus

RESPONDENTS : State of Chhattisgarh and others

Appearance:

Shri H.B. Agrawal, Senior Advocate with Shri Pankaj Agrawal, counsel for the petitioner.

Shri V.V.S. Moorthy, Deputy Advocate General for the State.

**WRIT PETITION UNDER ARTICLES 226/227 OF THE
CONSTITUTION OF INDIA**

ORAL ORDER
(22.12.2010)

The only relief claimed in the writ petition is for issuance of direction to the respondents to treat the petitioner's application for grant of No Objection Certificate (in short NOC) by the Nazul Authorities as one for educational purpose and consider the same within stipulated time.

(2) Learned Senior Advocate appearing for the petitioner would submit that the petitioner holds a lease for residential purpose, however the land use of the lands covered under sheet No.37 of Bilaspur Nazul in Juna Bilaspur is for educational purpose, therefore his application was rejected. He would submit that the owner of the adjoining plot, holding a similar lease has been granted NOC for construction of a building for education purpose. He would submit that case of the petitioner and that of adjoining land owner Mr. Sushil



60

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Kumar Saluja S/o Late Chand Lal Saluja who has been granted NOC by the same authority i.e. respondents No.2 and 3, is identical, therefore petitioner is entitled for similar treatment under Article 14 of the Constitution of India.

(3) In view of the above, it is directed that if the petitioner submits fresh application for grant of NOC for construction of a building for educational purpose within a period of 15 days from today, the respondents No.2 and 3 shall consider the same in accordance with law and keeping in view the NOC granted to the adjoining land owner namely Sushil Kumar Saluja S/o Chand Lal Saluja.

(4) The authorities are also directed to dispose of the application as early as possible and preferably within a period of two months after submission of the application. It is also observed that earlier rejection of his application for grant of NOC shall not be an impediment in view of the permission granted to the adjoining land owner.

(5) With this direction, the instant writ petition stands disposed of.

Sd/-
Prashant Kumar Mishra
✓ - Judge

cjm