

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1444 of 2017

Bhilai Agrasen Education Society, Through its President, Rajendra Kumar Agrawal, S/o. Late Shri A. K. Agrawal, Aged About 57 Years, R/o. Wall Fort City, House No. B-44, Bhatagaon, Raipur, District Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through the Secretary, Department Of Higher Education, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, Chhattisgarh.
2. Commissioner, Department Of Higher Education, Block C-30, 2nd/3rd Floor, Indrawati Bhawan, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Rajeev Shrivastava, Advocate

For State : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.05.2017

Heard

1. Learned counsel for the petitioner would submit that despite the receipt of the inspection report recommending grant of permission, the competent authority is sitting over it and neither any refusal nor any opportunity of hearing has been given and since last one year, the issue has been kept dormant.
2. Learned State counsel prays time to seek instructions specifically on the issue that whether as per Section 12 of the Chhattisgarh Non-Government Colleges & Institutions In Higher Education (Establishment & Regulation) Act, 2006 any decision were taken or not ?

3. Learned counsel for the petitioner limits his prayer to the issue that the recommendation has already been made, however, no decision were taken for last one year and the competent authority is required to do so under the Act, he may be directed to take decisions on such recommendations.
4. Considering the limited prayer made by the learned counsel for the petitioner and spirit of Section 12 of the Chhattisgarh Non-Government Colleges & Institutions In Higher Education (Establishment & Regulation) Act, 2006, the competent authority is directed to decide the subject issue of the petitioner within a period of one month, in accordance with Section 12 of the Chhattisgarh Non-Government Colleges & Institutions In Higher Education (Establishment & Regulation) Act, 2006
5. With such observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge