

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPC No. 3189 of 2020**

New Horizon Smelters Private Limited Co. Through The Director, Avdhesh Sharma, S/o. Late B. S. Sharma, Aged About 66 Years, R/o. Eldico Greens Gomati Nagar, Lucknow Uttar Pradesh Pin 226010 Company Office At House No. 42 Ground Floor Munshi Ram Colony, Near Mukharji Nagar, New Delhi Pin Code 110009

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh, Through the Secretary, Department of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh
2. The Collector, Collectorate, District Raigarh, Chhattisgarh
3. The Sub Divisional Officer (Revenue) Gharghoda, Office Of Sub Divisional Officer, (Revenue) Gharghoda, District Raigarh Chhattisgarh
4. The Tahsildar Gharghoda, Tahsil Office Gharghoda, District Raigarh Chhattisgarh

**---- Respondents**

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|----------------|---|-----------------------------------------------------------------------|
| For Petitioner | : | Ms. Sharmila Singhai, Advocate on behalf of Mr. N.K.Malviya, Advocate |
| For State      | : | Mr. Amrito Das, Addl. A.G.                                            |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**04.01.2021**

Heard

1. Learned counsel for the petitioner would submit only limited prayer has been made for the reason that the petitioner wants to establish a factory at village Bhalumar, Tahsil Gharghoda, District Raigarh and has applied for diversion of the land purchased which is pending since 2019 and all the no objection certificates were submitted to the authority during the process, however, the S.D.O. Gharghoda has not passed any order on the application for diversion till date. She further submits that the petitioner has been given the certificate of exemption to start the industry within a specified period under the policy of the State and if the land is not diverted,

no further proceeding to set up the industry can be done. The reference is made to Annexure P-3 and the counsel would submit that all the necessary particulars have been placed before the S.D.O.

2. State counsel would submit that they are not aware of the present status of the proceeding.
3. Considering the tenure of Annexure P-3 which is certified copy signed by the Tahsildar Gharghoda and the application for diversion of the land is already pending since 2019, the S.D.O. Gharghoda is directed to decide the same within a further period of 60 days from the date of receipt of a copy of this order.
4. With the aforesaid observation, the petition stands disposed off.

Sd/-  
**(Goutam Bhaduri)**  
**Judge**

Aks