



IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.6534 of 2026
Decided on: 04.05.2026

Vinay Sharma and Anr. ...Petitioners
Versus
State of H.P. & Ors ...Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

¹ *Whether approved for reporting?*

For the petitioners: Mr. R.L.Chaudhary, Advocate.
For the respondents: Ms. Menka Raj Chauhan, Deputy
Advocate General, for respondents
No. 1 and 2.
Nemo for respondent No.3

Jyotsna Rewal Dua, Judge

Petitioners seek writ of mandamus to respondent No.3-The Chhat Gram Sewa Cooperative Society Ltd. Bilaspur, H.P. to issue No Objection Certificate (NOC) to them subject to final outcome of the cases that are pending between the parties before the District Magistrate, Bilaspur under Section 14 of the Himachal Pradesh Relief of Agricultural Indebtedness Act, 1976 (the Act in short) for

¹ *Whether reporters of Local Papers may be allowed to see the judgment? Yes*



waiving of the loans of the petitioners. The relief has been claimed in order to enable the petitioners to contest the elections of Gram Panchayat Kapahra, District Bilaspur, H.P.

2. As per the writ petition, both the petitioners have raised marginal agricultural loans of Rs. 7 lacs & 4 lacs, respectively, from respondent No.3. The loans have not been re-paid. Consequently, respondent No.3 has issued recovery notices to the petitioners. The petitioners have invoked the provisions of the Act for waiving of the loans sanctioned in their favour by respondent No.3. Proceedings in that regard are said to be pending adjudication before respondent No.2- the District Magistrate, Bilaspur.

3. The case set up by the petitioners is that they intend to contest elections of Gram Panchayat and in order to do that, they are, inter alia, required to furnish affidavits declaring that they are not defaulter of any Cooperative Society. Petitioners, therefore, had approached respondent No.3 for grant of NOC subject to final outcome of the loan waiver cases filed by them and pending before the respondent No.2- the District Magistrate, Bilaspur under Section 14 of the Act, but respondent No.3 has refused to



give such no objection.

4. In the given facts and circumstances of the case, when petitioners are admittedly in default of re-payment of the loans, which they have respectively obtained from respondent No.3, respondent No.3 cannot be compelled and directed to issue No Objection Certificate to the petitioners subject to final outcome of the loan proceedings that are yet pending before the Competent Authority under Section 14 of the Act. In the said proceedings, petitioners' prayer is for waiving of the loans. Relief as prayed for, cannot be granted to the petitioners. Consequently, the present writ petition is dismissed.

Pending miscellaneous application(s), if any, also to stand disposed of.

Jyotsna Rewal Dua
Judge

May 04, 2026
R.Atal