

Court No. - 3

Case :- WRIT - C No. - 26677 of 2021

Petitioner :- Kalika

Respondent :- State Of U.P. Thru. Prin. Secy. Panchayati Raj And Ors.

Counsel for Petitioner :- Abdul Alim Khan,R.A. Khan

Counsel for Respondent :- C.S.C.,Pankaj Gupta

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard.

Petitioner has approached this court with following main prayer:-

"(i) issue a writ order or direction in the nature of certiorari quashing the impugned order dated 17.09.2021 passed by the Block Development Officer, Huzurpur, District Bahraich by rejecting his claim to deprive the benefit of the Pradhan Mantri Awas Yojana Scheme pertaining to village- Bhediyari, Block- Huzurpur, Tehsil- Kaiserganj, District Bahraich, in the interest of justice.

(ii) issue a writ, order or direction in the nature of writ of mandamus commanding the O.P. No. 2 District Magistrate, Bahraich to allot the housing site to the petitioner under the Pradhan Mantri Awas Yojna scheme pertaining to Village- Bhediyari, Block- Huzurpur, Tehsil- Kaiserganj, District Bahraich 2020-21 by ignoring the impugned order dated 17.09.2021 passed by the Block Development Officer, Huzurpur, District Bahraich, in the interest of justice."

Learned Standing Counsel has submitted that the matter is to be considered and decided by the Chief Development Officer, District Bahraich i.e. respondent no.4.

Learned counsel for petitioner submits that grievance of petitioner would be substantially met in case application of petitioner for the said purposes is considered and decided in a time bound manner.

Learned counsel for respondents has no objection to the same.

Without entering into merits of the case, the petitioner is permitted to make an application before the respondent no.4/Chief Development Officer, District Bahraich, raising all his grievance, annexing therewith a copy of this writ petition along with annexures and all the documents in support of his claim within a period of two weeks from today along with a certified copy of this order.

In case such a application is moved by petitioner, respondent no.4, shall consider and decide the same in accordance with law after hearing all the concerned parties

by a reasoned and speaking order within a period of six weeks from the date a certified copy of this order along with application is placed before him.

With the aforesaid directions, present writ petition is disposed of.

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 18.10.2023

Nitesh