

Court No. 24

26.02.2021

(Item No. 164)

(AB)

W.P.A 2394 of 2021

Tapan Jana & Ors.

vs

The State of West Bengal & Ors.

Mr. Golam Mostafa
Mr. Samirul Sardar

..... for the petitioners

Gautam Guria

..... For respondent No. 9

Mr. Subir Sabud

..... for respondent No. 8

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas

..... for the State

Affidavit of service filed in Court today is taken on record.

The petitioners allege defalcation of funds by the Pradhan under the Pradhan Mantri Abas Yojana.

The petitioners made an objection before the Block Development Officer, Mahishadal Development Block by letter dated 18th June, 2020. The petitioners allege that their representation has not been considered by the respondent authority till date. The petitioners have annexed documents with the writ petition in support of the contention that the Pradhan of the Gram Panchayat has admitted the guilt of accepting money from the beneficiaries for the purpose of granting benefit in terms of the Pradhan Mantri Abas Yojana.

The learned advocate representing the Prodhan of the Gram Panchayet submits that the Upa Prodhan was involved in the matter.

The learned advocate appearing for the Upa Prodhan submits that the Prodhan was involved in the matter.

It appears that there are several disputed questions of facts. The Block Development Officer of the Mahishadal Development Block is accordingly directed to look into the grievances of the petitioners as to whether there has been any irregularity and illegality in granting benefits in terms of the Pradhan Mantri Abas Yojana.

The writ petition is accordingly disposed of by directing the respondent no. 5, being the Block Development Officer, Mahishadal, Purba Medinipur to consider and dispose of the representation made by the petitioners, strictly in accordance with law, after giving an opportunity of hearing to all the necessary parties, including the petitioners, within a period of eight weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to all the necessary parties, including the petitioners, immediately thereafter.

In the event the Block Development Officer is of the considered opinion that there has been irregularity while granting benefits under the aforesaid Yojana, then the Block Development Officer shall take necessary to deal with the matter, in accordance with law.

It is made clear that this Court has not entered into the merits of the claim made by the petitioners and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioners.

The petitioners are directed to forward a copy of the representation dated 18th June, 2020 to the aforesaid respondent at the time of communicating the order of the Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)