

24.08.2021
Sl. No.19
srm

W.P.A. No. 9491 of 2021
Lakshman Prasad Dey
Vs.
The Union of India & Ors.

Mr. Debajyoti Deb,
Mr. Avishek Roy Chowdhury
...for the Petitioner.

Mr. Sk. Majibar Rahman,
Md. Mansoor Alam
...for the State.

Mr. Supratim Dhar,
Mr. Santimay Bhattacharya,
Mr. Ziaul Haque
...for the Respondent No.5.

Mrs. Tapasi Sinha Palit
...for the UOI.

Despite service, none appears on behalf of the respondent No.8. Affidavit of service is taken on record.

The petitioner alleges inaction on the part of the Ramjibonpur Municipality, District-Paschim Medinipur in passing the final order pursuant to a hearing held on May 19, 2020 with regard to the alleged complaint of the respondent No.8.

It is submitted that the petitioner's wife was a beneficiary under the Pradhan Mantri Awas Yojana-Urban. Some funds were sanctioned for house building. Thereafter upon the complaint of the respondent No.8, a stop work notice was issued to the petitioner. The petitioner was called for a hearing along with the respondent No.8. It is alleged that the

hearing was held on May 19, 2020 but the appropriate authority of the municipality failed to pass the final order with regard to the fate of the construction of the petitioner. It is submitted that because of the delay in disposal of the matter, the petitioner's wife may not be able to avail of the subsequent allotment of the funds under the Pradhan Mantri Awas Yojana-Urban.

Mr. Dhar, learned Advocate appearing for the respondent No.5 submits that the petitioner's wife did not follow the procedure for implementation of projects under the Pradhan Mantri Awas Yojana-Urban as laid down by the State Urban Development Agency in its memo dated February 11, 2016. Certain disputes have been raised by Mr. Dhar with regard to the plan/drawing submitted by the petitioner's wife and the construction, which allegedly was made beyond such drawing/plan.

Mr. Deb, learned Advocate appearing for the petitioner, denies such allegations and submits that the construction has been made as per the drawing and the plan.

The writ petition is disposed of, with a direction upon the competent authority of the Ramjibonpur Municipality to dispose of the matter in accordance with law upon giving one more opportunity to the petitioner as also the respondent No.8 to appear before the competent authority and make their

submissions. A reasoned order shall be passed and communicated to all concerned.

The entire exercise shall be completed within a period of six weeks from the date of communication of this order.

The writ petition is, thus, disposed of.

There will be, however, no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)