

02.09.2021
Sl. No.21
srm

W.P.A. No. 13065 of 2021

**Achan Ulla Purkait & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Pankaj Halder,
Mr. Tapas Manna

... for the petitioners.

Mr. Lalit Mohan Mahata
Mr. Arjun Roy Mukherjee

... for the State.

Mr. Raj Kumar Sain

... for respondent no.5.

None appears on behalf of the State-respondents.

Affidavit of service is taken on record.

Mr. Lalit Mohan Mahata, learned Senior Government Advocate, who is present in Court and usually appears in such matters, is requested by the Court to accept service on behalf of the State-respondents with a junior of his choice. Let the appointment of Mr. Mahata be regularised.

The petitioners claim to be the persons below the poverty line and pray for a direction upon respondent no.4 to consider the petitioners for grant of house building allowances or any such benefit on the basis of their applications made in the year 2018 under the Banglar Awaas Yojana. The petitioners have made further representations before the Block Development Officer, Mathurapur I Block, P.O. Mathurapur, District-South 24

Parganas. It is contended that the Government of India has extended the operation of Pradhan Mantri Awaas Yojana known as Banglar Awaas Yojana in West Bengal up to March 31, 2022. The petitioners submit that their names have been left out either by mistake or foul play.

Mr. Mahata, learned Senior Government Advocate, submits that as of now there are no ongoing schemes for grant of house building allowances for which the petitioners may be considered and listed as beneficiaries. The final list has been prepared and the persons who have been wrongly left out have been included in the data base of Awaas plus. He denies that there has been any foul play. He submits that the petitioners did not meet the eligibility criteria.

Having heard the contentions of the parties, the writ petition is disposed of by directing the concerned Block Development Officer to consider the representation of each of the petitioners in accordance with law and pass a reasoned order upon hearing the petitioners. The reasoned order shall be communicated. The eligibility of the petitioners for being granted house building allowance under any ongoing scheme shall be considered in accordance with law. If the petitioners cannot be granted any benefit due to expiry of the scheme or on account of any other ineligibility, such reasons shall be provided in the order. The entire exercise shall be completed within three months from the date of communication of this

order. Each of the petitioners shall communicate this order by serving a copy of the order downloaded from the website along with copies of the application/representation. The entire application shall be considered by making proper enquiry through the gram panchayats concerned and in terms of the procedure followed till now by the authorities for implementation of PMAY or Banglar Awaas Yojana.

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

(Shampa Sarkar, J.)