

10.11.2021
Ct. no.19
Sl.no.31
sn

W.P.A. 14712 of 2021

(Via Video Conference)

Ebadulla Naiya & Ors.

Vs.

State of West Bengal & Ors.

Mr. Pankaj Halder,

... for the petitioners.

Mr. Soumitra Mukherjee

... for the State

The petitioners claim to be persons below the poverty line and pray for a direction upon the 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 upto March 31, 2022. The petitioners submit that their names have been left out either by mistake or foul play.

Mr. Mukherjee, learned advocate for the State respondent, 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. Written instructions are kept with the record.

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 which shall be filed afresh within two weeks from date, 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 receipt of the representations. 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.

Since no affidavit in opposition is filed by the respondents the allegations made against them are to be treated as denied by them.

Parties are directed to act on the server copy of this order.

(Shampa Sarkar, J.)