

17.11.2021
Court No. 19
Item no.15
CP

WPA 15950 of 2021

Mafijul Shaik & ors.
Vs.
The State of West Bengal & ors.

Mr. Pankaj Halder
Mr. Tapas Manna

.....for the petitioners.

Mr. T. M. Siddiqui
Mr. N. Chatterjee

....for the State.

The petitioners' claim to be the persons below the poverty line and pray for a direction upon respondent no.4 to consider the case of 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. Siddiqui, 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.

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 in case it is found that they were wrongly left out, as alleged. 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 applications of the petitioners 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.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

Parties to act on the server copy of this order.

(Shampa Sarkar, J.)