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**W. P.A. 22090 of 2017
(Via Video Conference)**

Narendra Nath Mahato
Vs.
The State of West Bengal & Ors.

Mr. Siva Prosad Ghose
Ms. Neha Roy
... For petitioner.

Mr. Srijib Chakraborty
... For State.

Affidavits-of-service are kept on record.

Petitioner claims to be a beneficiary of project Indira Awaas Yojana (IAY). Mr. Ghose, learned advocate appears on behalf of petitioner and submits, payment of first instalment was made to wrong person. His client took steps to have the mistake corrected. The mistake was corrected and his client was paid the instalment.

He hands up copy of memo dated 30th December, 2019 issued by Block Development Officer, Bandwan Development Block, addressed to Officer-in-Charge, Housing Scheme, Purulia. Contents of the letter are reproduced below: -

"I am to inform you that the Sri Narendranath Mahato having ID WB-14-007-004-005/15383 was a IAY Beneficiary of FY 2014-15 of village - Haludbani, GP-Gurur. But the first instalment of Rs. 18750.00(Rupees Eighteen thousand Seven

Hundred Fifty) only had been wrongly credited to other person Sri Niranjan Mahato of the same village.

After that Sri Narendranath Mahato put a case on the Hon'ble High Court bearing WP No 22090 (W) of 2017.

In that period of time the first instalment has been recovered from Sri Niranjan Mahato. As per order of Hon'ble High Court dated 18/12/2017 the 1st instalment has been disbursed to Sri Narendranath Mahato.

Now this is to inform you that as per the request of Sri Narendranath Mahato I want to disburse the 2nd Instalment.

This is for your kind information."

Mr. Ghose submits, the second instalment is to be paid to his client, after which his client will, in terms of the project, seek disbursement of third instalment.

Mr. Chakraborty, learned advocate appears on behalf of State and submits, the writ petition is for correction of the mistake. The mistake has since been corrected. Petitioner when applies for second instalment, it will be duly dealt with. He is the beneficiary and upon compliance of all formalities, second and thereafter third instalment will be paid to him as per the project. In response, Mr. Ghose draws

attention to prayer (a) in the writ petition, being for issuance of release order to beneficiary, petitioner.

Under clause 15 of order dated 10th February, 2012, disclosed at page 62 onwards, the procedure for payment of instalments have been given. Petitioner will apply for second and thereafter third instalment on complying with requisites in the order. On satisfactory fulfillment of the requisites, payment must be made to petitioner by concerned functionary of State. Mr. Ghose submits, all the requisites for payment of second and the third instalments have been met by his client.

Petitioner will furnish proof of compliance to concerned authority and thereafter the payment should be made to him within two weeks thereafter. In event payment is denied, petitioner must be informed in writing the reason for denial.

The writ petition is disposed of.

(Arindam Sinha, J.)