

62
28.01.2021.
d.p.

**W.P.A. 23371 of 2019
IA No. CAN 1 of 2020
(Old No. CAN 1056 of 2020)
(Via Video Conference)**

**Mala Bauri
-versus
The State of West Bengal & Ors.**

**Mr. Soumik Ganguli,
Mr. Sayan Roy.
...For the Petitioner.**

**Mr. Santanu Kumar Mitra,
Mr. Mirza Kamruddin.
...For the State.**

**Mr. Kaushik Dey.
...For the Added Respondent.**

The petitioner was held to be an eligible beneficiary in respect of the Banglar Awas Yojana. According to the said Yojana, the beneficiaries are entitled to receive a sum of Rs.1,30,000/- by way of installments.

According to the petitioner, the first instalment was released in her favour and she has made construction upto the plinth level and she is entitled to receive the second installment.

The learned advocate appearing for the State respondents submits, upon instructions, that initially, the first installment amount payable was Rs.42,000/- and the construction ought to have been made till the plinth level. Thereafter, the terms and conditions of the Yojana have been modified by the order of the Additional Chief Secretary vide Memo No. 2072-

RD/IAY/17S-02/2011(Pt-III) dated 28th March, 2018 and the amount has been increased from Rs.42,000/- to Rs.45,000/-.

As it appears that there has been a modification in the notification pursuant to which the money is being released, presently construction has to be made upto the window seal level for receiving the second instalment.

The respondent authorities shall consider the prayer of the petitioner for disbursement of the next installment after the construction work is completed at least upto the window seal level.

No further order is required to be passed in the instant writ petition.

The writ petition along with the connected application is disposed of.

The instruction given to the learned advocate for the State respondents is retained with the records.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)