

S/L 6  
16.11.2022  
Court. No. 19  
GB

W.P.A. 4613 of 2022

Mohammad Alam & Ors.  
VS  
Union of India & Ors.

*Mr. Syed Shahid Imam.*

*...for the Petitioners.*

*Sk. Md. Galib,  
Ms. Subhra Nag.*

*...for the State.*

Affidavit-of-service filed in Court today, be kept with the record.

The petitioners applied for the benefits under the PMAY-G scheme. According to the petitioners, the authorities had adopted a pick and choose method while granting the benefits. As a result of such illegality, the petitioners allegedly were deprived. Other ineligible persons were enlisted as beneficiaries.

The Block Development Officer, Harishchandrapur-II Development Block, Malda has filed a detailed report. It appears that the petitioner nos.4 and 10 were found eligible for the benefit under the PMAY scheme and they have been granted the benefit.

The scheme provides that the list of beneficiaries was to be prepared by the Mashaldah Gram Panchayat upon local enquiry and thereafter sent to the Block Development Officer for further steps and implementation.

The resolution of the Mashaldah Gram Panchayat has been produced before the Court. It appears that the petitioner no.1 could not be traced. The claim of the

petitioner nos.2, 5, 6, 7, 12, 13 and 14 were rejected as they were found to be in possession of concrete houses (pacca house). The petitioner No. 9 had shifted and could not be considered eligible by said gram panchayat. Thus, those petitioners did not satisfy the criteria for grant of benefits under the said scheme.

The prayer of the husbands of the petitioner nos.3, 8 and 14 were rejected on the ground that they also had concrete houses (pacca house). The claim of the father of the petitioner no.11 was rejected on the same ground. The report along with the resolution of the Gram Panchayat is taken on record.

Thus, for the purpose of disposal of the writ petition, the records which have been provided, sufficiently establish that the authorities have proceeded on the basis of the eligible criteria.

Accordingly, the writ petition is disposed of.

A copy of the report be served upon the learned advocate on record for the petitioner.

However, there will be no order as to costs.

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

**(Shampa Sarkar, J.)**