

20.01.2022
Item No.20
srm

W.P.A. No. 15017 of 2021

Akkah Ali Khan @ Abbas Khan

Vs.

The State of West Bengal & Ors.

Mr. Dipankar Pal

...for the Petitioner.

Sk. Md. Galib,
Ms. Sujata Ghosh

...for the State-Respondents.

Mr. Tanmoy Chattopadhyay

...for the Respondent No. 3.

The petitioner submits that the petitioner was wrongly excluded from the list of beneficiaries under the PMAY-G scheme although his name had appeared at serial No.46 and No.525 of the priority list. It is submitted by the petitioner that once the petitioner was considered to be eligible for the benefits under the said scheme, the petitioner could not be ultimately excluded from being granted the said benefit.

Mr. Chattopadhyay, learned Advocate appearing on behalf of the Pradhan of Dhulasimla Gram Panchayat, Uluberia-I, Howrah/the respondent No.3, submits that there are four stages which have to be followed by the authorities to arrive at the final stage of disbursement of money to the beneficiaries. First of such stage being identification of

beneficiaries; second stage being preparation of the priority list; third stage being verification of the persons whose names figured in the priority list and lastly disbursal of the funds. He also relies on the guidelines to be followed under the said scheme which show that the gram sabha shall, at the final stage of verification, take decision with regard to the eligibility of the enlisted beneficiaries and their right to be disbursed the money. According to Mr. Chattopadhyay, the name of the petitioner did not figure in the final stage and resolutions were adopted accordingly by the gram sabha. It is submitted that only at the initial stage the name of the petitioner had figured. Mr. Chattopadhyay further submits that the PMAY-G scheme itself provides for a grievance redressal mechanism and the petitioner should have availed of the said mechanism within the stipulated period.

The Court also finds that in the list, annexed to the writ petition, it appears that the status of the application of the petitioner was 'under process'.

Be that as it may, this Court is not inclined to go into the disputed questions of facts and the Block Development Officer, Uluberia-I Block, District-Howrah is directed to dispose of the representation of the petitioner dated August 27, 2021 in accordance with law thereby intimating the

petitioner the reason as to why the petitioner was not granted the benefit.

This order shall not be construed as a recognition of any right of the petitioner.

Such exercise shall be completed within a period of three months from the date of communication of this order.

This writ petition is, thus, disposed of.

There will be no order as to costs.

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

(Shampa Sarkar, J.)