

14.09.2022
Court No. 19
Item no.47
CP

W.P.A. No. 15085 of 2021

Giyasuddin Purkait & ors.

Vs.

The State of West Bengal & Ors.

Mr. Pankaj Halder
Mr. Subhranshu Maity
Mr. Tapas Manna

.....for the petitioners.

Mr. Susovan Sengupta
Mr. Manas Kumar Sadhu

....for the State.

The petitioners claim to be persons below the poverty line and pray for a direction upon respondent no.4 to consider the prayer of the petitioners, for grant of house building allowances or any similar benefit on the basis of their applications made in the year 2018. The petitioners have also made representations before the Block Development Officer, Mathurapur I Block, P.O. Mathurapur, District-South 24 Parganas. It is contended that the operation of Banglar Awaas Yojana in West Bengal, is continuing. The petitioners submit that their names have been left out either by mistake or foul play.

Mr. Sengupta, learned Advocate for the State respondents, 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. 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 to 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.

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 four 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 their application/representation. The application shall be considered by making proper enquiry through the gram panchayats concerned and in

terms of the procedure followed till now by the authorities.

The authority shall also consider whether the petitioners were wrongly excluded from the list, while others were included for extraneous consideration.

This order shall not be construed as an opinion of the court with regard to the eligibility of the petitioners. The merits and the correctness of the claims of the petitioners are not decided. The concerned authority shall decide the entire issue independently.

As no affidavits have been called for, allegations against the respondents are deemed to be denied.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)