

24.11.2022
Sl. No.28(DL)
srm

W.P.A. No. 23983 of 2022
Netajee Mondal
Versus
The State of West Bengal & Ors.

Mr. Tanmay Chowdhury,
Ms. Ritopriya Ghosh

...for the Petitioner.

Mr. Jahar Dutta,
Mr. B. Ghosh

...for the State-respondents.

Mr. Ziaul Haque

...for the Panchayat Authorities.

Mr. Himadri Kumar Mahata

...for the Respondent No.7.

The Pradhan of Garhbaria-II Gram Panchayat, District-Purba Medinipur has filed a report. It appears that the construction by the respondent Nos.7 to 9 was under the PMAY(G) scheme.

The Panchayat Act exempts construction under a housing scheme from the applicability of the Act and the Rules.

The beneficiaries are supposed to construct on the basis of a model plan/drawing prepared by the implementing authority.

Under such circumstances, no order can be passed in this writ petition. The contention of the petitioner that the inclusion of the respondent Nos.7 to 9 in the list of beneficiaries was erroneous in view of the lack of title, etc. cannot be decided either by this Court or by the panchayat authorities. The petitioner may approach the competent authority under the scheme for redressal of his grievance.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)