

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
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**LPA-1081-2021 & CM-2504-LPA-2021 &
CM-142-LPA-2022**

Date of decision: 28.03.2022

SHARAN KAUR

..APPELLANT

Vs.

STATE OF HARYANA AND OTHERS

...RESPONDENTS

***CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE VINOD S. BHARDWAJ***

Present: Mr. Sandeep Saini, Advocate,
for the appellant.

Ms. Rajni Gupta, Addl. A.G. Haryana,
for the State.

Mr. Satya Pal Jain, Additional Solicitor General of India,
with Mr. Sandeep Bhatia, Advocate,
for respondent No. 8-Union of India.

AUGUSTINE GEORGE MASIH, J.(ORAL)

The appellant had approached this Court by way of a writ petition asserting that a writ of mandamus may be issued to grant her the benefit under the Pardhan Mantri Awaas yojna-Gramin Scheme.

Response to the writ petition has been filed wherein the State as well as the Union of India had taken a specific stand that although the petitioner (appellant herein) was found entitled to the benefit under the Indira Awaas Yojna for the year 2015-16 but since the said scheme was no further in operation and there was Pardhan Mantri Awaas yojna-Gramin Scheme, which was introduced, the petitioner did not apply there on the portal. Because of the non-application on the part of the appellant, the benefit under that scheme also could not be granted.

On 13.01.2022, affidavit was sought by this Court for

complying with the order dated 12.11.2021 where the online portal relating to the Pradhan Mantri Awaas yojna-Gramin Scheme could be opened by the Union of India as the learned Single Judge, while disposing of the writ petition, had granted liberty to the appellant to apply under the new scheme as and when the same is open through Awaas+ portal.

In compliance thereto, an affidavit dated 07.01.2022 of the Director, Ministry of Rural Development, Government of India had been filed, where in para Nos. 4 to 6, it has been stated as follows:-

“4. That in this regard, it is to state that an exercise for identification of households, who though eligible for assistance under PMAY-G as per parameters specified under SECC-2011 but have not been included in the list of eligible beneficiaries (taking into account all the parameters that are required for becoming eligible to be beneficiary of PMAY-G as per framework for implementation of PMAY-G) and creating additional list of eligible households was carried out by Ministry of Rural Development through the State/UTs using Mobile Application “Awaas+”.

5. That in this regard the survey was started in January 2018 and the deadline provided to the States for concluding the data collection exercise initially was 31st March, 2018. The deadline was extended 4 times till 30th June, 2018, 30th September, 2018, 30th November, 2018 and finally till 7th March, 2019. In total, after providing nearly one and half year extension details of 3.57 crore households were captured in Awaas+ survey, out of which, Haryana has registered details of

1,68,864 Households.

6. That it is to state that the Awaas+ portal, after giving sufficient number of extensions to State/UTs for addition of eligible households in the Awaas+ list, has been closed and subsequently targets from Awaas+ has been allocated to State/UTs as per eligibility of the State/UTs. Thus as per the present stand of the Ministry, no further changes are allowed in the finalized list of Awaas+.”

In the light of the above factual status, as it exists, and there being no further change in the circumstances, as has been informed by the learned Additional Solicitor General of India, we are of the considered view that in the present appeal, no further relief can be granted to the appellant.

The appellant may avail of the benefit as would be available to the appellant as per the liberty granted by the learned Single Judge vide order dated 26.10.2021.

Appeal stands disposed of accordingly.

CM-2504-LPA-2021 & CM-142-LPA-2022

In view of the disposal of the main appeal, these applications have been rendered infructuous and the same are disposed of as such.

(AUGUSTINE GEORGE MASIH)
JUDGE

(VINOD S. BHARDWAJ)
JUDGE

March 28, 2022

pj

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No