

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18999 of 2016

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Pankaj Kumar son of Rajendra Prasad, Resident of Village- Sonas, Police Station- Mahkar, District- Gaya.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Rural Development Department, Govt. of India, New Delhi.
2. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, Rural Development Department, Govt. of Bihar, Patna.
4. The District Magistrate, Gaya.
5. the Deputy Development commissioner, Gaya.
6. The Block Development, Khijarsarai Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Umesh Kumar,Advocate
For the State	:	Mr.Sudhir Kumar Upadhyay,Advocate
For the U.O.I.	:	Mr.Praveen Kumar Sinha,Senior Panel Counsel

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-04-2023 The present writ petition has been filed for directing the respondents to release the fund in favour of the petitioner under the Indira Awaas Yojana/ Pradhan Mantri Awaas Yojna (Gramin) pursuant to the guidelines issued by the Rural Development Department, Government of India, New Delhi as also Rural Development Department, Government of Bihar, Patna.

The learned counsel appearing for the respondent-State has referred to the counter affidavit filed on behalf of the respondents no. 4 to 6, wherein it has been stated that it is not possible to grant any relief to the petitioner as per the



guidelines issued by the Central Government and the State Government, according to which the beneficiary/beneficiaries, being homeless, should fall in the list prepared on the basis of socio-economic and caste census based on the census of the year, 2011, a list which is prepared by the Gram Sabha under the supervision of the Block Development Officer. It is further stated that the petitioner and other similarly situated persons have not been included in the socio-economic caste census of the year, 2011, which is also apparent from Annexure-3 to the writ petition, since the name of the petitioner does not figure in the said list.

It is next contended that in the financial year 2016-17, funds were given to 231 persons under the Prime Minister Awaas Yojna, whose names were listed in the aforesaid socio-economic caste census list of the year, 2011, but since the name of the petitioner was not present in the said list and his name did not find place amongst the aforesaid 231 persons, he is not entitled to grant of



any fund under the Prime Minister Awaas Yojna (Gramin).

Lastly, it is submitted that since the petitioner does not fulfill the criteria, as per the guidelines of the Central Government/State Government, no benefit can be granted to the petitioner, hence the present writ petition is fit to be dismissed being devoid of any merit.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and the averments made in the counter affidavit filed in the present case, by the respondent-State, this Court finds that the petitioner does not fulfill the criteria laid down in the guidelines/schemes of the Central/State Government, thus he is not entitled to any relief, hence the present writ petition stand dismissed.

(Mohit Kumar Shah, J)

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