

13.3.2023
Ct.19/sl.13
sn

W.P.A. 1052 of 2023

Soma Guchhait

Vs.

The State of West Bengal & Ors.

Mr. Gouranga Kumar Das

..for the petitioner

Mr. Raja Saha

Mr. Amit Kumar Ghosh

..for the State

The petitioner claims to be a member of Budhakhali Gram Panchayat. Certain irregularities with regard to the enlistment of beneficiaries under the Awaas Plus Yojana had been pointed out to the authorities. The allegation with which the writ petition had been filed was that the State respondents had not taken any steps even after receiving the petitioner's objection.

This Court had directed the learned advocate for the State respondents to come back with necessary instructions in this regard.

A report has been filed by the Block Development Officer, Namkhana, South 24 Parganas Block which indicates that further enquiry was made on the complaint lodged by the petitioner and the eligibility of those households to receive the benefits under the housing scheme had been revisited and a conclusion had been arrived at. Most of them were found to be ineligible.

Under such circumstances, nothing remains to be decided in this writ petition. The competent authority shall pass necessary orders, based on such findings.

The authorities shall act and proceed in accordance with law upon observing the principles of natural justice and upon giving an opportunity to all the beneficiaries who are likely to be affected by any decision of the authority. Those persons shall be allowed to enter appearance before the authority and make necessary submissions in support of their claims.

This Court has not gone into the merits of the issues involved in this writ petition.

It is made clear that no order shall be passed adverse to the interest of those enlisted persons who were subsequently found to be ineligible without granting them an adequate opportunity to appear before the concerned authority and to contest the issue.

This writ petition is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)