

February 27, 2023
AD 4
Court No.1
SG

WPA(P) 72 of 2023

Arsed Molla and others
vs.
The State of West Bengal and others

Mr. S. Ghosh, Advocate

... for the petitioners

Mr. Jahar Lal De,
Ms. Smita Das Dey, Advocates

... for the State

Affidavit of service filed by petitioners is taken on record.

The grievance raised in this public interest petition is that though the petitioners are entitled to the benefit under the Prime Minister Awas Yojana Scheme but while preparing the final list, their names were illegally excluded.

Learned counsel for the petitioners has pointed out that the petitioners' representation dated 07.02.2023 to respondent No.2, District Magistrate, 24 Parganas (South), Alipore has not been considered till now.

We are of the view that the allegation which is made by the petitioners needs factual inquiry which can more appropriately be done by respondent No.2 to whom the petitioners have already approached. Therefore, we deem it proper to dispose of the present petition directing respondent No.2 to duly consider the petitioners' representation dated 07.02.2023 in accordance with law.

It will be open to respondent No.2 to conduct an inquiry on the allegation of the petitioners and give opportunity of hearing to all the concerned parties.

Let the exercise be completed within a period of 3 months from the date of receipt of a copy of this order.

Accordingly, the petition is disposed of.

[Prakash Shrivastava, C.J.]

[Rajarshi Bharadwaj, J.]