

10.04.2023
Court No. 19
Item no.20
CP

W.P.A. No. 7629 of 2023

Hasan Molla & anr.

Vs.

The State of West Bengal & Ors.

Mr. Sobhan Majumder

....for the petitioners.

Mr. Raja Saha
Mr. S. P. Lahiri

..for the State

Mr. M. Chatterjee
Mr. Debapriya Majumder

....for the respondent no. 5.

The petitioners allege that although the petitioners were found eligible for grant of aid under the PMAY Scheme for construction of a pucca structure, the money was credited to the account of another person and not the petitioners.

Learned advocate for the pradhan denies the allegation and submits that the money was duly received by the petitioners. An acknowledgement to that effect was also signed. Enquiry was made by the Block Development Officer, Cannint-1 Development Block and the Human Rights Commission. The allegation of the petitioners were found to be incorrect.

The petitioners deny that such enquiry had ever been conducted and submit that the enquiry on

the basis of the petitioners' complaint, should have been conducted in presence of the petitioners.

Accordingly, the writ petition is disposed of with a direction upon the Block Development Officer, Cannint-1 Development Block to treat the writ petition as a representation and dispose of the same, in accordance with law and independently.

Before any decision is taken, an enquiry shall be made in the presence of the petitioners, the pradhan of Itkhola Gram Panchayat and other interested parties. A report shall be prepared and supplied to the petitioners. The petitioners will be entitled to respond to such report.

Thereafter, a hearing shall be given and a reasoned order shall be passed and communicated.

The court has not gone into the merits of the allegations and the counter allegations of the respective parties.

The entire exercise shall be completed within a period of two months from the date of communication of this order.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)