

17.07.2023
Item No.5
gd/ssd

WPA(P)/340/2023
DIPU BAR AND ORS.
VS
UNION OF INDIA AND ORS.

Mr. Prithvijoy Das,
Mr. Bulbul Biswas,
Mr. Shayan Sachin Basu
..for the Petitioners.

Mr. Brajesh Jha,
Mr. Arka Bhattacharya
..for the Respondent No.1.

Mr. Samrat Sen, Id. AAAG,
Mr. Dipnath Roychowdhury,
Ms. Manali Ali
..for the State.

Mr. Piyus Chaturbedi,
Mr. Ziaul Haque,
Mr. H.K. Mahata
..for the Respondent No.6.

1. By way of a public interest litigation the petitioners allege that there is large scale illegality committed in the Pradhan Mantri Awas Yojna Scheme and by way of illustration it is submitted that dead persons have been given benefits, persons who are owning multi-storied buildings have been paid money and in certain other cases the beneficiaries are persons who are not eligible but have been registered under the Scheme.

2. In this regard several representations have been given to the authorities including the District Magistrate, South 24-Parganas District. One such representation is dated 6th June, 2023 and by another

representation dated 25th January, 2023 the petitioners have enclosed a list of the ID's alleging that those are the details of the persons whose names have been used to siphon off public funds. This representation was sent by speed post and has been received by the authorities including the District Magistrate, South 24-Parganas on 27.01.2023.

3. The private respondents have also been represented by their learned advocate.

4. In the light of the above, without going into the merits of the allegations made by the petitioners against the private respondents, we direct the District Magistrate, South 24-Parganas, the 3rd respondent to consider the representation and investigate the matter, call for the necessary records, issue notices to the private respondents and all other concerned and after a thorough enquiry, pass appropriate orders on merits and in accordance with law.

5. In the event if it is found that public funds have been siphoned, the District Magistrate, South 24-Parganas is directed to take immediate remedial action in this regard and also initiate criminal proceedings against those persons who have indulged in siphoning public funds.

6. This direction be complied with within a period of six weeks from the date of receipt of a server copy of this order.

7. With the above direction, the writ petition stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)