

22.02.2023
Sl. No.6(DL)
srm

W.P.A. No. 23769 of 2018

Motaleb Molla

Versus

The State of West Bengal & Ors.

Mr. Saumitra Banerjee,
Md. Giasuddin Mulla

....for the Petitioner.

Mr. Raja Saha,
Ms. Rupsha Chakraborty

...for the State-respondents.

Despite service, none appears on behalf of the respondent Nos.9 and 10. Affidavit of service is taken on record.

The petitioner alleges that the respondent Nos.9 and 10 had raised a construction under a poverty alleviation programme, namely, Indira Awas Yojana without obtaining any permission from the Kumarjola Gram Panchayat, North 24-Parganas.

The writ petition has been filed with the allegation that the authorities did not take any steps in spite of receiving an objection from the petitioner.

Proviso to Rule 19(1) of the West Bengal Panchayat (Gram Panchayat Administration) Rules, 2004 provides

that no permission from the gram panchayat would be necessary for construction of houses under the poverty alleviation programme. The Indira Awas Yojana is a poverty alleviation programme, which was framed to enable persons living below the poverty line or who are economically marginalized to construct their own *pucca* houses which grants from the government.

Thus, the writ petition is disposed of without any orders as it is an admitted case that the construction was under the Indira Awas Yojana.

There will be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)