

WPA 5277 of 2024

**Shyamal Kumar Mondal
versus
The State of West Bengal & ors.**

Mr. Rudranil Dey
Mr. Balai Lal Sahoo
Mr. Sukhendu Banerjee
Mr. Dilip Kr. Mandal
Mr. Mritunjay Saha
... for the petitioner

Mr. Krishna Das Poddar
... for the State

Mr. Sarda Sha
Mr. Sukanta Das
... for the respondent no. 11

The petitioner is aggrieved by the inaction on the part of the Block Development Officer, Hingalganj Block to take remedial steps after detection that the construction of the house under the PMAY-G Scheme has been made over a different plot of land which was not applied for.

The Block Development Officer in the order dated 15.09.2023 clearly recorded that the private respondent had not constructed the house in the plot of land that she had communicated while applying for PMAY-G house. The private respondent could not clarify why she constructed the house in a different plot other than the land in which she submitted the documents at the time of the

registration of the PMAY-G scheme. Fourteen days' time was given to the private respondent to clarify her stand.

This Court has not been made aware as to whether or not any clarification was at all submitted by the private respondent.

In the event, there is no proper explanation by the private respondent, the Block Development Officer, Hingalganj Block ought to take remedial measures to deal with the unauthorized construction that has been made.

The Block Development Officer is, accordingly, directed to forward the proceedings to deal with such unauthorised construction to the Sub-Divisional Officer, Basirhat for taking necessary consequential steps in the matter. The Sub-Divisional Officer shall take proper steps for demolition of the unauthorised construction at the earliest but positively within a period of 12 weeks from the date of forwarding of all documents by the Block Development Officer.

The Officer-in-Charge, Hemnagar Coastal Police Station is directed to render all help and assistance to the men and agents of the respondent authorities at the time of implementing the order passed by the Sub-Divisional Officer, if necessary.

Leave granted to the learned counsel appearing for the petitioner to implead the Sub-Divisional Officer, Basirhat as party respondent in the instant writ petition

and serve a copy of the writ petition upon the added respondent.

The instant writ petition stands **disposed of**.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Amrita Sinha, J.)