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04.08.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 993 of 2023

**Bhiswadev Mandal & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Sufi Kamal,
Ms. Shireen Hossain.
...For the Petitioners.**

1. None appears on behalf of the State respondents.

2. The writ petition has been filed by thirty one petitioners by depositing only one Court fees. The Court vide order dated 17th April, 2023 directed the petitioners to deposit deficit Court fees by 18th April, 2023. The same has not been paid till date.

3. Learned advocate appearing on behalf of the petitioners submits that the writ petition may be restricted only in respect of the petitioner no.1 and the other petitioners may be expunged from the writ petition.

4. In view of the aforesaid submission, the order passed in the instant writ petition will only be valid and effective for the petitioner no.1. The writ petition shall be deemed to have been dismissed in respect of the other petitioners.

5. The petitioner seeks relief under the housing scheme.

6. The District Magistrate, Malda vide order dated 22nd September, 2016 directed the Sub-Divisional Officer (Sadar), Malda and the Block Development Officer, Manikchak, Malda to include the name of the petitioner as beneficiary under the Gitanjali EWS Housing Scheme.

7. It has been submitted that the Gitanjali EWS Housing Scheme is no longer available and the petitioner ought to be given benefit under the Banglar Bari Scheme.

8. As it appears that the petitioner was found eligible to obtain benefit under the economically weaker section of the housing scheme and the subject scheme in which the petitioner was directed to be enlisted is no longer available, accordingly, the benefit for the economically weaker section of the society shall be extended to the petitioner in respect of any other available housing scheme of the similar nature.

9. The Sub-Divisional Officer (Sadar), Malda and the Block Development Officer, Manikchak, Malda are directed to take necessary steps in this regard and ensure that the petitioner actually receives the benefit without any further delay.

10. The writ petition stands disposed of.

11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)