

27.02.2025
Item No.9
PG/KS
Ct. No.1

W.P.A. (P) 32 of 2025
Haripada Jana
Versus
The State of West Bengal & Ors.

Mr. Amitabha Karmakar
Mr. Dhananjay Banerjee
Mr. Arup Kumar Bhowmick

.....for the Petitioner

Mr. Anirban Ray, Ld. G.P.
Mr. Nilotpall Chatterjee
Mr. Saptak Sanyal

.....for the State

1. The petitioner alleges irregularity in the disbursement of funds under a scheme drawn by the State Government for providing funds for construction of houses to the people, who do not own houses.
2. The petitioner in his representation dated 30th December, 2024 alleged that certain people in Badhia Gram Panchayat, Ramnagar – I Block and Paldhui Gram Panchayat, Ramnagar – II Block have been illegally allotted the funds and they are not entitled to receive the funds, as they already owned pucca houses.
3. Though such allegations have been made against certain named persons, those persons have not been impleaded as respondents in the writ petition.
4. Therefore, no positive direction can be granted in this writ petition, as prayed for by the petitioner.
5. In any event, the written instruction given by the Block Development Officer to the learned Government Counsel states that the provisional draft list was published and displayed at the notice board of the concerned Gram Panchayat offices as well as at Block Development office,

Sub-Divisional office and District Magistrate's office and uploaded in the District Website also at the stipulated time for public scrutiny and receiving claims and objections. Subsequently, after disposing of all the claims and objections, the provisional draft lists were placed before Gram Saba of all nine (9) Gram Panchayats under Ramnagar – I Development Block and resolution was passed in every Gram Sabha of every Gram Panchayat after thorough discussion.

6. It is stated that the provisional list is an open source and can be downloaded from the Website by anyone without any login credentials and it is available in the public domain.
7. Further, it is stated that the petitioner himself accepted that this is a public domain resource and open to all in paragraph 8 of the writ petition.
8. It is further stated that as per the Departmental SOP, the provisional beneficiary list can be displayed only at the notice board of the concerned Gram Panchayat offices as well as at the Block Development office, Sub-Divisional office and District Magistrate's office and district Website. Thus, the present complaint of the petitioner appears to be a very belated complaint, especially when the draft list was uploaded in the Website and also made available to the public at large.
9. The representation though gives the names of the persons, it does not give details as to where those persons have constructed houses with their own funds before receiving money under the Scheme.

10. Therefore, at this juncture, the prayer sought for cannot be granted.

11. However, liberty is granted to the petitioner to give a comprehensive representation before the 6th respondent/Block Development Officer, Ramnagar – I Development Block and 7th respondent/ Block Development Officer, Ramnagar – II Development Block giving details of the houses, which are owned by the beneficiaries prior to the sanction of funds under the Scheme and with those details along with the copy of the order, the petitioner should appear personally in the office of the 6th and 7th respondents and submit the same and after which a verification shall be done by the Block Development Officers and appropriate action be taken in accordance with law after notice to all concerned.

12. This direction be complied with within a period of four months from the date on which the petitioner submits the comprehensive representation in terms of the above direction.

13. With the aforesaid directions, writ petition stands disposed of.

14. No costs.

15. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)