

19.05.2025  
Sl. No. 99.  
Ct.No.39.  
ss

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE**

**WPA 26822 of 2023**

**Mahafuzur Rahaman & ors.  
Vs.  
The State of West Bengal & Ors.**

Mr. Sayan Banerjee  
Ms. Suparna Dutta

..for the petitioners

Ms. Jyotsna Roy Mukherjee  
Ms. Srijani Mukherjee

...for the State.

Mr. Ayanabha Raha

...for respondent nos.3 & 4

Report filed by the State is taken on record.

The writ petition is filed seeking direction upon the respondent authorities for releasing the unpaid remuneration of the petitioners pertaining to discharge of their duties as *Jeevika Sevak*.

The petitioners' contention is that they were engaged as *Jeevika Sevak* and pursuant to the order passed by the Additional District Magistrate, Malda dated 27<sup>th</sup> February, 2017 petitioners discharged their functions as PMAY-G facilitator (*Pradhan Mantri Awaas Yojana*) at Kaliachak 3 Block in the District of Malda. Petitioners received their payments from the respective authorities for the period of 2017-2018, 2018-2019 but due to some unknown reason the respondent authorities are reluctant to pay the due amount to the petitioners in respect of the subsequent periods. The petitioners have

not received their money for the last three financial years. Hence, this writ petition.

Mr. Sayan Banerjee, learned Advocate for the petitioners submit that as per the report furnished by the State the amount as claimed by the petitioners is admitted one. The only reason for non-disbursement of the amount is of non-availability of required funds. Due to non-payment of the claimed amount, the petitioners are suffering for the last three years. He seeks specific direction upon the respondent no.5, the District Magistrate, Malda to take appropriate steps for disbursement of the amount claimed by the petitioners in their favour.

Mr. Ayanabha Raha, learned Advocate for the respondent nos.3 and 4 also submits for specific direction upon the respondent no.5, the District Magistrate, Malda for disbursement of the amount.

Ms. Jyotsna Roy Mukherjee, learned Advocate appearing on behalf of the State-respondents submits that the first instalment in respect of outstanding amount of financial year 2019-2020 has been paid to the petitioner nos.1 to 4 from the administrative fund of the Executive Officer, Kaliachak-III Panchayat Samiti in terms of paragraph no.5(b) of the tabulation statement of the report.

Admittedly, the petitioners completed their work as entrusted to them under the *Pradhan Mantri Awaas Yojana* Scheme as facilitator. The amount claimed by the

respective petitioner nos.1 to 4 as tabulated in page 6 of paragraph no.8 of the writ petition has not been disputed by the State authorities in their report. There cannot be any quarrel that that the amount claimed by the petitioner is lying unpaid for last three financial years.

In light of the above, the respondent no.5, the District Magistrate, Malda is directed to take steps for disbursement of the amount claimed, as stated in paragraph no.8 of the writ petition less the amount, if any, already received by the petitioners, in favour of petitioner nos.1 to 4 within a period of six weeks from date of communication of this order.

Petitioners are directed to communicate this order to the respondent no.5, the District Magistrate, Malda, for compliance.

With the aforesaid directions, the writ petition being **WPA 26822 of 2023** stands disposed of.

All connected applications, if any, stand disposed of.

There will be, however, no order as to costs.

Interim order, if any, stands vacated.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

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

**(Bivas Pattanayak, J.)**