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1036 WP-7550-2022

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1036 WRIT PETITION NO. 7550 OF 2022

Bhaskar Manikrao Palode And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

...

Mr. Angad L. Kanade, Advocate for the Petitioners.

Mr. P. K. Lakhotiya, AGP for Respondent-State.

Mr. Madhav P. Gude, Advocate for Respondents.

CORAM : KISHORE C. SANT &
ABASAHEB D. SHINDE, JJ.

DATE : 26th NOVEMBER 2025.

ORDER :-

1. Heard the parties.
2. Rule. Rule made returnable forthwith. With the consent of the parties, the petition is taken up for final disposal at the stage of admission.
3. By way of this writ petition, under Article 226 of the Constitution of India, the petitioners have put-forth the following reliefs, which read as under:

[B] By issuing appropriate writ, order or directions to the respondent No. 4 to 7 for sanctioning house under Pradhan Mantri Awas Yojana for the year 2021-22 in the name of the petitioners, who are deprived from their legitimate right.

[C] By issuing appropriate writ, order or directions to the Respondent No.4 to 7 to conduct re-survey in respect of Form No.D, of the sanctioned beneficiaries of Chandapur village Tal. Sillod, Dist. Aurangabad under Pradhan Mantri Awas Yojana for the year 2021-22.

4. Mr. Kanade, the learned Advocate for the petitioners, submits that despite the fact that the petitioners were eligible for being included in the PMAY-G (Pradhan Mantri Awas Yojana-Gramin) Scheme, they have been deprived of on the basis of certain complaints which were baseless.

5. We have also heard the learned AGP appearing for the Respondent – State, who has invited our attention to the affidavit-in-reply filed by the Project Director, District Rural Development Agencies, Chh. Sambhajinagar, and more particularly, paragraph Nos. 6 and 9 of the affidavit-in-reply which reads thus.

“6. I say and submit that, as per this procedure out of 194 applicants uploaded on the list, system itself has deleted 126 applicants thereby, found that they are not eligible and in the spot survey further 14 beneficiaries were found to be not eligible as per the criteria laid down by the Union Government and further 2

beneficiaries have been again found not eligible by the Special Gramsabha. So, only 52 beneficiaries have been found to be eligible and the Gramsabha has given approval to their allotments and the allotment of these 52 beneficiaries is already started. The copy of relevant documentation regarding all procedure is annexed herewith and marked as EXHIBIT-2.

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9. I say and submit that, for the next five years i.e. from 2024-2025 to 2028-2029, the Central Government directed to conduct new survey for again allotment of houses for needy people under the PMAY-G (Pradhan Mantri Awas Yojana-Gramin) and as per these guidelines the again fresh application is to invited and survey to be done, and in those process the petitioners were likely to be reconsidered for the allotment as per their eligibility and further surveys it they are found eligible.

6. Considering the fact that the Respondents-Authorities are willing to consider the case of the petitioners, if they are eligible, for the upcoming scheme which would start from 2024-25 to 2028-2029, the writ petition stands disposed off, as the petitioners are likely to be considered in the upcoming scheme.

7. Rule made absolute in above terms.

[ABASAHEB D. SHINDE, J.]

[KISHORE C. SANT, J.]