

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Ct.551 **19.01.2026**
Item No.07 Sws.M

WPA 3999 of 2025

Khublal Mandal and others
Vs
The State of West Bengal & Ors.

Mr. Sufi Kamal
Ms. Shireen Hossain
...for the petitioners

1. Affidavit of service filed in Court today is taken on record.
2. None appears for the respondents despite service.
3. Affidavit of service filed today reveals that a notice of this writ petition has been served upon the office of the learned Government Pleader on January 14, 2026.
4. This writ petition alleges inaction on the part of the respondent No. 3 in considering the petitioners' prayers for grant of benefit under the 'Bangla Awas Yojana'.
5. Mr. Kamal, learned advocate appearing for the petitioners submits that the respondent no. 3 has been sitting tight over the petitioners' representations. He hands up to Court a copy of an order dated April 28, 2025, passed by a Co-ordinate Bench of this Court in the case of Tejpal Rabidas & Ors. vs. The State of West Bengal & Ors. (WPA 4376 of 2020) submits that in a similar situation, this Court has directed the respondents to extend the benefits under the 'Gitanjali

Scheme' which has now been renamed as 'Bangla Awas Yojana' to the petitioners before the Court.

6. It is noticed that in the said case, which has been cited by Mr. Kamal, it had been submitted on behalf of the State-respondents that upon a spot verification conducted by the competent authority, eighteen(18) petitioners who were then before the Court had been found to be eligible for getting benefit under the said scheme and it was in such circumstances that benefit was extended to the said petitioners.
7. Today, there is no representation on behalf of the State authorities. Therefore, a mandatory direction for extension of benefit under the said scheme/Bangla Awas Yojana cannot be passed. However, since representations have been made by the petitioners before the respondent No. 3 and the same have been pending with the respondent No. 3 for a substantial period of time (i.e. over more than five years), therefore the respondent No. 3 must consider the said representations and dispose of the same, in accordance with law as expeditiously as possible and preferably within a period of four weeks from the date of communication of this order.
8. Needless to mention that in case it is found that the petitioners are eligible to get the benefit of the

said scheme, the respondent No. 3 shall take appropriate steps to ensure that the benefit of the scheme is extended to the eligible persons in accordance with law.

9. It is clarified that this order shall not be treated as a mandate to grant any benefit to the petitioners or any of them unless the petitioners are (or any of them is) eligible to the same, in accordance with law.
10. In case, the respondent No. 3 is of the opinion that the petitioners are (or any of them is) not eligible to the benefit under the said scheme, the respondent No. 3 shall pass a reasoned order indicating why such benefit cannot be extended to the petitioners or any of them. Such order should also be passed as expeditiously as possible, preferably within a period of four weeks from the date of communication of this order, in accordance with law. Needless to mention that such order should be communicated to the petitioners within a week of passing thereof.
11. WPA 3999 of 2025 stands disposed of with the above observations. No costs.
12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on urgent basis after completion of necessary formalities.

(Om Narayan Rai , J.)