

15.09.2023
KC(1)

W.P.A.(P) 502 of 2023
Mayureshwar Amdebkar Smriti
Sangha and Anr.
-versus-
Union of India and Ors.

Mr. Kishore Dutta,
Mr. Sarbajit Mukherjee,
Mr. Subhankar Chatterjee.....For the petitioners.

Mr. Dhiraj Trivedi, Ld. D.S.G.,
Mr. Arunava Ganguly.....For the Union of India.

Mr. Samrat Sen, Ld. A.A.A.G.,
Mr. Anirban Ray, LLd. G.P.,
Mr. T.M. Siddique,
Mr. Priyankar Saha,
Mr. Sanjay Basu,
Mr. Piyush Agarwal,
Mr. Saikat Chatterjee,
Ms. Manali Ali,
Ms. Utsha Dasgupta.....For the respondent
no. 2.

We admit this public interest writ application.

This relates to the Pradhan Mantri Awas Yojana (Gramin) Scheme of the Central Government. The Central Government adopted a policy in 2016 of providing financial assistance to eligible persons living in kachha and dilapidated houses to build pucca houses in rural areas by 2024. 2.94 crore houses were contemplated for 2023-24.

The grievance of the writ petitioners in this public interest litigation is shortly this. A voluminous list has

been annexed to the writ petition indicating the eligible persons, the date of sanction for a house for each of them, the sanctioned amount for each and so on. Under the scheme 60% of the sanctioned amount is to be borne by the Central Government while 40% by the State Government. The allegation of the writ petitioners is that so far the Central Government has not made any contribution at all. In the absence of this contribution no steps in furtherance of the scheme can be taken.

Mr. Kishore Dutta, learned senior advocate appearing for the petitioners also contends that in respect of similar scheme in other states the Central Government has made this contribution but has not made so in the case of State of West Bengal. His client alleges discrimination against the State of West Bengal by the Central Government.

Learned Deputy Solicitor General appearing for the respondent Central Government submits that for proper adjudication of this writ application his client should be permitted to file an affidavit in opposition dealing with the statements and allegations contained in the petition.

Accordingly, we direct the respondents to file an affidavit in opposition dealing in detail with the statements and allegations contained in the writ petition and the annexures thereto by 9th October, 2023.

Affidavit in reply may be filed by 16th October, 2023.

List this writ application according to the convenience of the regular bench.

(I.P. MUKERJI, J.)

(HIRANMAY BHATTACHARYYA, J.)