

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(PIL) No. 2857 of 2019**

Ziaul Haque, aged about 33 years, Son of Eshkar Ali,
Resident of Village-Majhar Tola, Madhya Narayanpur, P.O.-
Narayanpur, P.S.-Rajmahal, District-Sahibganj

... .. **Petitioner**

Versus

1. The State of Jharkhand through the Chief Secretary,
office at Project Building, Dhurwa, P.O.-Dhurwa, P.S.-
Jagannathpur, District-Ranchi.
2. The Principal Secretary, Rural Development and Housing
Department, Office at Project Building, Dhurwa, P.O.-
Dhurwa, P.S.-Jagannathpur, District-Ranchi.
3. The Secretary, Rural Development and Housing
Department, Office at Project Building, Dhurwa, P.O.-
Dhurwa, P.S.-Jagannathpur, District-Ranchi.
4. The Deputy Commissioner, Sahibganj, At + P.O. and
P.S.-Sahibganj, District - Sahibganj.
5. The District Development Officer, Sahibganj, At + P.O.
and P.S.-Sahibganj, District – Sahibganj.
6. The Sub-Divisional Officer, Rajmahal, P.O. + P.S. –
Rajmahal, District – Sahibganj.
7. The Block Development Officer, Rajmahal, P.O. + P.S. –
Rajmahal, District – Sahibganj.
8. The Circle Officer, Rajmahal, P.O. + P.S. – Rajmahal,
District – Sahibganj.

... .. **Respondents**

**CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD**

For the Petitioner : Mr. Jai Prakash Jha, Sr. Advocate
For the State : Mrs. Vandana Singh, Sr.S.C.-III.

ORAL ORDER

Order No. 09 : Dated 11th September, 2020

With consent of the parties, hearing of the matter has
been done through video conferencing and there is no
complaint whatsoever regarding audio and visual quality.

The instant writ petition has been filed by way of Public

Interest Litigation praying inter alia therein :-

“... .. for issuance of a writ or writs, direction or directions commanding upon the respondents to provide houses under the “Pradhan Mantyri Awas Yojana” to the poor villagers of entire Narayanpur Mouza consisting of Villages-Mazhar Tola, Siyal Tola, Kamal Tola, Felu Tola as the villagers are rendered homeless in every rainy season under the impact of flood of the river Ganga and also issue any appropriate directions to the respondents authorities to provide houses to the poor villagers as mentioned above”.

The writ petitioner, for the purpose of providing houses in favour of the members living below poverty line, had made a request to the competent authority to provide houses under the Pradhan Mantri Awas Yojna but no heed was given. It is the contention of the writ petitioner that like him so many people living below poverty line are suffering due to non-providing of houses under the said scheme, leaving the scheme futile and, therefore, when his grievance was not redressed, he was compelled to file the instant writ petition by way of Public Interest Litigation.

The Court has heard the matter on several occasions and as would be evident from the order dated 21.08.2020 that the State has filed a counter affidavit on 20.08.2020 and upon receiving the copy of the same, the learned Senior counsel appearing for the writ petitioner had sought for time to file response.

It would be evident from the counter affidavit filed on

20.08.2020 that necessary proceedings for allotment of the houses has been initiated and certain persons have already been shortlisted and some of them have already been given such type of benefit which would be evident from Annexure-A and B of the said counter affidavit.

The matter has been posted today but no such response has been filed on behalf of the writ petitioner in terms of the adjournment sought for vide order dated 21.08.2020, however, Mr. J.P. Jha, learned Senior counsel appearing for the writ petitioner has submitted that the writ petition may be disposed of in terms of the stand taken by the State in the counter affidavit by taking such decision for allotment of houses under the Pradhan Mantri Awas Yojna, as would be evident from Annexure-A and B thereof, but he has insists that, since the matter pertains to providing residential accommodation under the aforesaid scheme, therefore, it would be just and proper to direct the State Government to complete the exercise at an early date.

Mrs. Vandana Singh, learned Sr. S.C.-III appearing for the State of Jharkhand has submitted that since the State Government has taken decision for providing houses under the aforesaid scheme, as such, there is no difficulty in completing the process within any reasonable time.

The Court has heard the matter and considering that the prayer made in the writ petition for allotment of houses

under the Pradhan Mantri Awas Yojna has not been objected by the State in the counter affidavit, rather, decision has been taken at the appropriate level by making scrutiny of the candidature of one or the other residents of the area to provide the benefit under the aforesaid scheme, as such, this Court deems it fit and proper to dispose of the writ petition with a direction to the respondent authorities to complete the exercise of providing residential accommodation to the beneficiaries under the aforesaid scheme in accordance with law within a reasonable period, preferably within a period of six months from the date of receipt of copy of the order.

Accordingly, this writ petition is disposed of.

(Dr. Ravi Ranjan, C.J.)

(Sujit Narayan Prasad, J.)