

GAHC010061942023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1690/2023

JAKIR HUSSAIN AND 10 ORS
S/O- AMIR HUSSAIN @ AMIR ALI,
R/O- VILL.- NAMBERPARA PT-II,
P.O.- NAMBERPARA,
P.S.- ABHAYAPURI,
DIST. BONGAIGAON (ASSAM).

2: MAJMUL HOQUE
S/O- LT. MIR MOKBUL HUSSAIN

R/O- VILL. NAMBERPARA
PT-II

P.O.- NAMBERPARA

P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

3: DEWAN AJAHAR ALI
S/O- LT. ROHIM UDDIN

R/O- VILL. NAMBERPARA
PT-III

P.O.- NAMBERPARA

P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

4: DEWAN JOYNAL ABDIN
S/O- LT. DEWAN SABED ALI

R/O- VILL. NAMBERPARA
PT-III

P.O.- NAMBERPARA

P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

5: HASHEM ALI
S/O- LT. HABEJ UDDIN

R/O- VILL. NAMBERPARA
PT-III

P.O.- NAMBERPARA

P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

6: SHOWKAT ALI
S/O- LT. SHAHJAHAN ALI

R/O- VILL. NAMBERPARA
PT-II

P.O.- NAMBERPARA

P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

7: ALAL UDDIN
S/O- LT. TUFFAZUL HUSSAIN

R/O- VILL. NAMBERPARA
PT-III

P.O.- NAMBERPARA

P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

8: MIR SHIRAJUL HOQUE
S/O- LT. MOKBUL HUSSAIN

R/O- VILL. NAMBERPARA
PT-II

P.O.- NAMBERPARA

P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

9: THANDU MIAH
S/O- LT. AMIR ALI

R/O- VILL. NAMBERPARA
PT-III

P.O.- NAMBERPARA

P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

10: ABDUL HAI
S/O- LT. ABU TALEB

R/O- VILL. NAMBERPARA
PT-III

P.O.- NAMBERPARA

P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

11: HURMUJ ALI
S/O- LT. HALIM MIAH

R/O- VILL. NAMBERPARA
PT-III

P.O.- NAMBERPARA

P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392

VERSUS

THE UNION OF INDIA AND 52 ORS
REPRESENTED BY THE MINISTRY OF RURAL DEVELOPMENT,
GOVERNMENT OF INDIA,
NEW DELHI- 01.

2:THE STATE OF ASSAM
REPRESENTED BY THE CHIEF SECRETARY

GOVT. OF ASSAM

DISPUR
GHY-06.

3:THE COMMISSIONER AND SECRETARY TOTHE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
DISPUR
GUWAHATI-06.

4:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM

PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
DISPUR
GHY-06.

5:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
JURIPAR
GHY-22.

6:THE PROJECT DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
BONGAIGAON
DIST.- BONGAIGAON
ASSAM.
PIN- 783380.

7:THE DEPUTY COMMISSIONER
BONGAIGAON
ASSAM
PIN- 783380.

8:THE BONGAIGAON ZILLA PARISHAD
REPRESENTED BY CHIEF EXECUTIVE OFFICER

BONGAIGAON ZILLA PARISHAD

ASSAM. PIN- 783380.

9:THE BLOCK DEVELOPMENT OFFICER
SRIJAN GRAM DEVELOPMENT BLOCK
P.O. AND P.S.- ABHAYAPURI

DISTRICT- BONGAIGAON
ASSAM

PIN- 783392.

10:THE SUB DIVISIONAL OFFICER (CIVIL)
NORTH SALAMARA
ABHAYAPURI
P.O.- ABHAYAPURI

P.S.- ABHAYAPURI
DIST. BONGAIGAON

ASSAM.

11:THE PRESIDENT

SRIJAN GRAM ANCHALIK PANCHAYAT
P.O. AND P.S.- ABHAYAPURI

DIST. BONGAIGAON
ASSAM.

12:THE PRESIDENT
NUMBERPARA GAON PANCHAYAT
P.O.- NAMBERPARA
P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

13:THE SECRETARY
NUMBERPARA GAON PANCHAYAT
P.O.- NAMBERPARA
P.S.- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

14:TOFFAZUL HUSSAIN
S/O- SAMSUL HOQUE

VILL. CHAKLA
PT-I

P/O- CHAKLA
P/S- ABHAYAPURI

DIST- BONGAIGAON
ASSAM

PIN- 783392.

15:NAJRUL ISLAM
S/O- KHAYAR UDDIN

VILL. NAMBERPARA PT-III

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

16:NUR BHANU
W/O- LT. KHAYAR UDDIN

VILL. NAMBERPARA PT-III

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

17:NAZMUL HOQUE
S/O- A. HAMID MIAH

VILL. NAMBERPARA PT-III

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

18:ROMJAN ALI KHAN
S/O A. ROSHID KHAN

VILL. NAMBERPARA PT-III

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

19:NAJIR HUSSAIN
S/O- NEDU MIAH

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

20:TOFIZ UDDIN
S/O- ABU SAYED DEWAN

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

21:MINHAJ ALI
S/O- HAJRAT ALI

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

22:JAKIR MRIDHA
S/O- SADEK MRIDHA

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

23:JALKAT MIAH
S/O GOFUR MIAH

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

24:ABU SHAMA
S/O- ABU BAKKAR

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

25:ARAP ALI
S/O- KASHEM MIAH

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

26:SHOHIDUL ISLAM
S/O MOMIR UDDIN

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

27:JAHUR UDDIN
S/O- BAHADUR ALI

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

28:CHANDU MIAH
S/O- NURU MIAH

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

29:BILLAL HUSSAIN
S/O- MAHAR ALI

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

30:SHORIFUL ISLAM
S/O- MOTIAR RAHMAN

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

31:NABAB ALI
S/O- MOJIBAR RAHMAN

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

32:ANOWAR HUSSAIN
S/O ARAB ALI

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON

ASSAM

PIN- 783392.

33:OMAR ALI
S/O- KALU MIAH

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

34:SHAHJAHAN ALI
S/O- ALIU HUSSAIN

VILL. NAMBERPARA PT-III

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

35:JELKAT ALI
S/O- TARA MIAH

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

36:KAJIM UDDIN
S/O- GOLAM MOSTAFA

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

37:ALOM HUSSAIN
S/O- MOBARAK ALI

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

38:OYES KARANI
S/O- ABUL KASHEM

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

39:RABIAL MIAH
S/O- ISMAIL MIAH

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

40:OSMAN GONI
S/O- JURAN ALI

VILL. NAMBERPARA PT-III

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

41:ISMAIL HUSSAIN
S/O- AKRAM ALI

VILL. NAMBERPARA PT-II

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST.- BONGAIGAON
ASSAM

PIN- 783392.

42:MONOWAR HOSEN
S/O- EMAN ALI

VILL. SOULMARY

P/O- CHAKLA

P/S ABHAYAPURI

DIST. BONGAIGAON
ASSAM

PIN- 783392.

43:NURUL HOQUE
S/O- NAJIM UDDIN

VILL. SOULMARY

P/O- CHAKLA

P/S ABHAYAPURI

DIST. BONGAIGAON
ASSAM

PIN- 783392.

44:MOFIDUL ISLAM
S/O- EYAD ALI

VILL. SOULMARY

P/O- CHAKLA

P/S ABHAYAPURI

DIST. BONGAIGAON
ASSAM

PIN- 783392.

45:A. SALAM AZAD
S/O- ROSFARA ALI

VILL. SOULMARY

P/O- CHAKLA

P/S ABHAYAPURI

DIST. BONGAIGAON
ASSAM

PIN- 783392.

46:ASHRAFUL ISLAM
S/O- BOSIR UDDIN

VILL. CHAKLA
PT-I

P/O- CHAKLA

P/S ABHAYAPURI

DIST. BONGAIGAON
ASSAM

PIN- 783392.

47:DEWN SHAWAKAT
S/O- SAR DEWN

VILL. CHAKLA
PT-I

P/O- CHAKLA

P/S ABHAYAPURI

DIST. BONGAIGAON
ASSAM

PIN- 783392.

48:KARIMUL ISLAM
S/O- HASMAT ALI

VILL. CHAKLA
PT-I

P/O- CHAKLA

P/S ABHAYAPURI

DIST. BONGAIGAON
ASSAM

PIN- 783392.

49:HASMAT ALI CHOUDHURY
S/O- HOCHEN ALI

VILL- NAMBERPARA PT-I

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST- BONGAIGAON
ASSAM

PIN- 783392.

50:ASRAFUL ISLAM
S/O- SHAFIUR RAHMAN

VILL- NAMBERPARA PT-I

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST- BONGAIGAON
ASSAM

PIN- 783392.

51:AYUB ALI KHAN
S/O- MOTIYAR RAHMAN

VILL- NAMBERPARA PT-I

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST- BONGAIGAON
ASSAM

PIN- 783392.

52:EKRAMUL HOSEN KHAN
S/O- ABDUR RAJJAK KHAN

VILL- NAMBERPARA PT-I

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST- BONGAIGAON
ASSAM

PIN- 783392.

53:MONIR UDDIN

S/O- JOHUR UDDIN

VILL- NAMBERPARA PT-III

P/O- NAMBERPARA

P/S- ABHAYAPURI

DIST- BONGAIGAON
ASSAM

PIN- 783392

Advocate for the Petitioner : MR. M U MONDAL, MR A ALIM SK,MR K ISLAM,MD. I H KHAN

Advocate for the Respondent : DY.S.G.I., MR. B DEKA (r-1),SC, P AND R.D.,GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 22.10.2024

Heard Mr. M. U. Mondal, learned counsel for the petitioners. Also heard Mr. S. Dutta, learned Standing Counsel for P&RD and Ms. S. Baruah, learned Additional Junior Government Advocate for the State respondents.

By way of this petition under Article 226 of the Constitution of India, the petitioners are assailing the impugned beneficiaries list in favour of the respondent nos. 14 to 53 for the year 2020-2021 under Namberpara Chakla Gaon Panchayat in the district of Bongaigaon, Srijan Gram Development Block and seeking direction from the respondent authorities to provide the PMAY-G houses to the petitioners as per the beneficiaries list for the year 2020-2021.

The case of the petitioners is that the impugned list of beneficiaries for the year 2020-2021 in respect of respondent nos. 14 to 53 under the subject Panchayat is in gross-violation of Pradhan Mantri Awaas Yojana- Gramin, scheme as the aforesaid persons are having pucca houses. Though the petitioners are enlisted in the same beneficiaries list for the year 2020-2021, but the names have been dropped and money sanction against them has not been released by the subject Gram Anchalik Panchayat.

Accordingly, the aforesaid petition has been filed.

Mr. M. U. Mondal, learned counsel for the petitioners submits

that though a representation dated 29.12.2022 has been filed before the Deputy Commissioner, Bongaigaon, the same has not been disposed of till date.

In view of the aforesaid submission made by the learned counsel for the petitioners, this court is of the considered view that the instant case can be disposed of, in the interest of justice, with the direction to the respondent authorities to dispose of the representation of the petitioners dated 29.12.2022 in accordance with law within a period of 2 (two) months from the date of receipt of the certified copy of this court's order.

Ordered accordingly.

Disposed of.

JUDGE

Comparing Assistant