

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C).No. 6644 of 2023

Parbati Mallik

....

Petitioner

Mr. A.Pattanaik, Advocate & Associates

-Versus-

State of Odisha & others

....

Opposite Parties

Mr. J.P.Patra, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

08.11.2023

Order No.

04.

1. Heard learned counsel for the petitioner and Mr. Patra, learned ASC for the State opposite parties.
2. Instant writ petition is filed by the petitioner for a direction to opposite party No.3 to provide her a house under Rural Housing Scheme (PMAY or Biju Pucca Ghar Yojana Scheme) in view of the assurance received vide letter dated 27th December, 2021 under Annexure-6 later to the refund of the sanctioned amount of Rs. 15,000/- received under such Scheme for the financial year 2008-09 (IAY).
3. Learned counsel the petitioner submits that the petitioner was intimated vide Annexure-6 to refund the amount she had received under the Rural Housing Scheme for the financial year so as to include her in the left out eligibility list with an assurance to complete the entire exercise within three months from then. It is alleged that no decision has been taken on such inclusion of the petitioner in the eligibility list despite the assurance of opposite

party No.3. It is further submitted that such eligibility of the petitioners is clearly admitted by the State in its counter affidavit.

4. Mr. Patra, learned ASC for the State submits that the amount was refunded on account of non-completion of the house within the limited period. It is, therefore, submitted that there is no illegality committed by the authority concerned directing the petitioner to refund the amount as it was, in view of the fact that latter failed to complete the construction of the house within the time stipulated.

5. Considered the submissions of the learned counsel for the respective parties. Notwithstanding refund of amount i.e. Rs. 15,000/- by the petitioner and on the premise that it was due to failing on her part to complete the construction within the stipulated time, but in view of the assurance offered to her vide Annexure-6 that she would be included in the eligibility list within three months from 27th December, 2021, regard being had to the submission of the learned counsel for the petitioner that the same is yet to be processed, the Court is of the view that the State and in particular, opposite party No.3, should be directed to undertake the aforesaid exercise and conclude it at the earliest.

6. Hence, it is ordered.

7. In the result, the writ petition stands disposed of with a direction to opposite party No.3 to act upon Annexure-6 and thereafter, to process it considering the sanction of a house vis-à-vis the petitioner either under PMY or Biju Pucca Ghar Yojana Scheme in view of assurance under Annexure-6 and to accomplish

it preferably within a period of six weeks from the date of receipt of a copy of this order.

8. A certified copy of the order be issued as per rules.

9. A copy of the order is directed to be supplied to Mr. Patra, learned ASC for the State for its onward intimation to opposite party No. 3 for early compliance.

(R.K.Pattanaik)
Judge

kabita

