

GAHC010095932023



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

Case No. : WP(C)/2577/2023

AINUL HOQUE AND 20 ORS
S/O- ALTAF UDDIN,
VILLAGE- SAGUNBAHI,
P.O. AND P.S.- MOIRABARI,
DISTRICT- MORIGAON, ASSAM.
AWAS PLUS ID NO. 149344459

2: AJIJUR RAHMAN
S/O- ABDUL KUDDUS

VILL- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 131039793.

3: AMBIA KHATUN
W/O- MOFIDUL ISLAM

VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO.128473912.

4: ASHADUL ISLAM
S/O- NUR MAHAMMED

VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO.128473912

5: ASKAR UDDIN
S/O- LT. IDRIS ALI
VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO.131039728

6: ASMA KHATUN
W/O- AZAD ALI

VILL.- SAGUNBARI

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO.151047257

7: BADRUL ISLAM
S/O- AHMED ALI

VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 128256008.

8: DILDAR HUSSAIN
S/O- JUBED ALI

VILL.- SAGUNBARI

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 148998231

9: FAKAR UDDIN
S/O- ABDUL MALEK

VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 128434920

10: IBRAHIM ALI
S/O- ABDUL SALAM

VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 128254689

11: JAYEDA KHATUN
W/O- AMSER ALI

VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 130775548

12: MAINUL HOQUE
S/O- ABDUL JABBAR

VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 128453974

13: MONJUL ISLAM
S/O- RAMJAN ALI

VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 146805763

14: NAZIM UDDIN
S/O- JUBED ALI

VILL.- SAGUNBARI

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 148998291

15: ROHIMA KHATUN
S/O- A. KASEM

VILL.- SAGUNBARI

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 151034932

16: RAIHAN UDDIN
S/O- SARAFAT ALI

VILL.- SAGUNBARI

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 149267754

17: RASHIDA KHATUN
S/O- INNAS ALI

VILL.- SAGUNBARI

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 151047665

18: ROSHIDUL ISLAM
S/O- A. KALAM

VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 151449782

19: RUHUL AMIN
S/O- ABDUR RAHMAN

VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 1310239994

20: SAMSUL ISLAM
S/O- ABDUL JABBAR
VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 128436152

21: WAHIDUZZAMAN
S/O- ROFIQUL ZAMAN

VILL.- HATIMURIA

P.O. AND P.S.- MOIRABARI

DISTRICT- MORIGAON
ASSAM.
AWAS PLUS ID NO. 145679619

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT,
DISPUR, GUWAHATI- 781006.

2:THE COMMISSIONER
PANCHAYAT AND R.D. DEPARTMENT
JURIPAR
PANJABARI
GUWAHATI-37.

3:THE DEPUTY COMMISSIONER
MORIGAON
DISTRICT - MORIGAON
ASSAM
PIN-

4:THE PROJECT DIRECTOR
DRDA
MORIGAON
DISTRICT- MORIGAON
ASSAM
PIN-

5:THE CHIEF EXECUTIVE OFFICER
MORIGAON ZILLA PARISHAD
MORIGAON
DISTRICT- MORIGAON

ASSAM.

6:THE BLOCK DEVELOPMENT OFFICER
MOIRABARI DEVELOPMENT BLOCK
MOIRABARI
DISTRICT- MORIGAON

ASSAM
PIN-

7:THE PRESIDENT
HATIMURIA GAON PANCHAYAT
HATIMURIA
P.O.- MOIRABARI

P.S.- MOIRABARI
DISTRICT- MORIGAON

ASSAM
PIN-

8:THE SECRETARY
HATIMURIA GAON PANCHAYAT
HATIMURIA
P.O.- MOIRABARI

P.S.- MOIRABARI
DISTRICT- MORIGAON

ASSAM
PIN

Advocate for the Petitioner : MR. J AHMED

Advocate for the Respondent : SC, P AND R.D.

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 15.07.2024

Heard Mr. J. Ahmed, learned counsel for the petitioners. Also heard Mr. S. Dutta, learned Standing Counsel, P &RD Department.

2. The writ petitioners are aggrieved that their claims for benefits under the Awas Yojana stood rejected by the respondent Authorities. The learned counsel for the petitioners referring to paragraph 10 of the writ petition submits that there was a verification report in respect of those cases which were rejected under the Awas plus system, which upon Field verification reflects that the grounds for rejection appear to be factually incorrect. He has referred to Annexure 6 of the writ petition to point out to the findings in the field verification report viz-a-viz some of the writ petitioners. He submits that because the information fed into the system by the respondents were incorrect,

the genuine claims of the writ petitioners have been rejected by the system.

3. On the last occasion, the respondents were permitted to obtain specific instructions on such submissions made. Mr. S. Dutta, learned Standing Counsel, P&RD Department was granted further time to file their additional affidavit. However, no such additional affidavit has been filed as on date. Accordingly, at the prayer made by Mr. S. Dutta, learned Standing Counsel, P&RD Department, matter stands deferred for another 2 (two) weeks permitting the respondents to appraise the Court as to the averment and statements made in paragraph 10 of the writ petition on the basis of the field verification stated to have been conducted by the Gaon Panchayat Authorities along with Gaon Panchayat Coordinators.

4. The P&RD Department may file their additional affidavit in response to the specific averments made in paragraph 10 of the writ petition, if so advised.

5. Accordingly, list this matter again on 12.08.2024.

JUDGE

Comparing Assistant