

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(s): Mr. J Ahmed

Advocate for the respondent(s): Mr. S Dutta, Standing Counsel, P & RD
Department

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 08.11.2024

Pursuant to the order passed by this Court on 20.09.2024, it is seen that an additional affidavit has been filed on 07.11.2024 wherein there is a mention that a verification was conducted on 05.09.2024 and a verification report was made on 06.09.2024.

2. This Court had specifically enquired with Mr. S Dutta, the learned Standing Counsel, P & RD Department, Government of Assam as to whether the petitioners herein after the verification are eligible or not for availing the benefits under the PMAY-G Scheme. The learned counsel submitted that the P & RD Department does not have the authority to finalise as to who would be eligible or not, *inasmuch as*, the reports are submitted to the Ministry of Rural

Development, Government of India and thereupon in terms with the said Scheme, the authority concerned would decide on the eligibility based upon the verification report.

3. This Court further enquired as to whether the verification report of the petitioners have been duly sent to the Ministry of Rural Development, Government of India, to which, Mr. S Dutta, the learned Standing Counsel submits that the P & RD Department has not yet sent the report. He, however, submits that the same would be duly sent within 15(fifteen) days from today.

4. Taking into account the above, list the matter again on 08.01.2025 to provide the updates as to whether any information has been received from the Nodal Department of the Government of India pertaining to the PMAY-G Scheme in so far as the eligibility of the petitioners are concerned.

5. This Court duly takes note of that vide the order dated 20.09.2024, the personal appearance of the Block Development Officer, Moirabari Development Block, Moirabari, District Morigaon was ordered through the Video Conferencing link. However, on account of link failure, the concerned official could not appear.

6. In view of the affidavit, which has been filed and the explanation given by the learned Standing Counsel, P & RD Department, Government of Assam, this Court dispenses with the personal appearance of the Block Development Officer, Moirabari Development Block, Moirabari, District Morigaon.

7. List accordingly.

JUDGE

Comparing Assistant