

GAHC010223132022



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

Case No. : WP(C)/7034/2022

CHARUSHILA GHOSH
W/O- SRI GAUTAM GHOSH, H/NO- 28, ML BARUAH LANE, SILPUKHURI,
GHY-03

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, HOME DEPTT.,
DISPUR, GHY-6, ASSAM

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ASSAM POLICE HEADQUARTERS ULUBARI
GHY-07

3:THE COMMISSIONER OF POLICE
KAMRUP (M)
GHY
ASSAM
PIN- 781001

4:THE MOTOR TRANSPORT OFFICER
POLICE RESERVE CITY
GUWAHATI
A.T. ROAD
GHY-01
ASSA

Advocate for the Petitioner : MR. U K BARMAN

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

03.05.2023

1. Heard Mr. J.K. Bhuyan, learned counsel for the petitioner and Mr. K. Gogoi, learned counsel for the respondents.
2. The matter pertains to the non-payment of hiring charges for the petitioner's Scorpio bearing Registration No. AS-01-JC-3339.
3. Mr. K. Gogoi has submitted a letter bearing Memo No. V/HC-111/SP(C) No.7034 of 22/2022/2790 dated 14.12.2022 issued by the Deputy Commissioner of Police (Crime) Guwahati, which is addressed to Ms. Sumitra Sarma, Jr. Government Advocate, Assam, Gauhati High Court, Guwahati, which is to the effect that the hire charge bills submitted by the petitioner against the above vehicle for the concerned period were duly received and after the same were verified, the same were forwarded to the sanctioning authority, i.e. the office of the Director General of Police, Assam, Guwahati on various dates, for according sanction of the funds required for payment to the petitioner. The letter further states that one bill for the period from 01.08.2020 to 10.10.2020 had not been received from the petitioner. However, the status of the proposals forwarded to the sanctioning authority for payment to the petitioner were as follows :

SL. No.	Vehicle No.	Period	Amount (Rs.)	Proposal No. & Date
1.	AS-01-JC-3339 (Scorpio)	01.01.2018 to 30.06.2018	3,67,481.00	279-284 (RV) Dt.07.12.2022
2.	AS-01-JC-3339 (Scorpio)	01.07.2018 to 31.12.2018	62,594.00	279-284 (RV) Dt.07.12.2022
3.	AS-01-JC-3339 (Scorpio)	01.01.2019 to 30.06.2019	3,71,520.00	279-284 (RV) Dt.07.12.2022
4.	AS-01-JC-3339 (Scorpio)	01.07.2019 to 31.12.2018	3,65,463.00	279-284 (RV) Dt.07.12.2022
5.	AS-01-JC-3339 (Scorpio)	01.01.2020 to 30.06.2020	3,65,463.00	279-284 (RV) Dt.07.12.2022
6.	AS-01-JC-3339 (Scorpio)	01.07.2020 to 30.12.2020	3,71,520.00	279-284 (RV) Dt.07.12.2022

4. Mr. J.K. Bhuyan, learned counsel for the petitioner submits that the bill for the period from 01.08.2020 to 10.10.2020 has been furnished to the respondent

no.4 on 28.03.2023.

5. In view of the above letter dated 14.12.2022 and the chart incorporated therein, wherein it is clear that the respondents have admitted the outstanding dues payable by them to the petitioner, the respondents are directed to make payment of the same to the petitioner, within a period of 3 (three) months from the date of receipt of a certified copy of this order. In respect of the bill for the period from 01.08.2020 to 10.10.2020, which has apparently been submitted by the petitioner to the respondent no.4 on 28.03.2023, the respondent shall verify and make payment of the verified/admitted amount within a period of three months.

6. The writ petition is accordingly disposed off.

The letter dated 14.12.2022 issued by the Deputy Commissioner of Police (Crime) Guwahati is made a part of the record and marked as Annexure-'X'.

JUDGE

Comparing Assistant