

GAHC010009892024



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

Case No. : WP(C)/278/2024

SUJIT NAMASUDRA
S/O- JITENDRA NAMASUDRA, RESIDENT OF RONGKUT BLOCK NO-4,
DIPHU, KARBI ANGLONG, ASSAM- 782481

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, HOME DEPARTMENT, ASSAM SECRETARIAT,
DISPUR, GUWAHATI, ASSAM- 781006

2:DEPUTY COMMISSIONER
HOJAI
SANKAR DEV NAGAR
HOJAI
ASSAM- 782442

3:SUPERINTENDENT OF POLICE
HOJAI
SANKAR DEV NAGAR
HOJAI
ASSAM- 782442

4:OFFICER IN CHARGE
HOJAI POLICE STATION
ASSAM
782435

5:INSPECTOR IN CHARGE
TRAFFIC
HOJAI POLICE STATION
ASSAM

782435

6:MECHANICAL TRANSPORT OFFICER
POLICE RESERVE HOJAI
ASSA

Advocate for the Petitioner : MR P R SARMA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

12.02.2024

1. Heard Mr. P.R. Sarma, learned counsel for the petitioner and Mr. M. Chetia, learned counsel appearing for the BTC.
2. The case of the petitioners herein is that the vehicle of the petitioner was requisitioned by the respondent authorities and the petitioner has duly submitted the bill amounting to Rs.4,13,992.00. However, in spite of various representations, the said amount has not been paid to the petitioner and due to which, the instant writ petition has been filed.
3. Mr. M. Chetia, learned counsel for the BTC has submitted letter No.HJI/MT/WP/3563/2023/46-48 dated 06.02.2024 issued by the Superintendent of Police, Hojai and addressed to Mr. S.R. Baruah, Junior Government Advocate, which states that the petitioner's related vehicle bills amounting to Rs.4,13,992/-, have been sent to the Assam Police Headquarters for sanction.

4. Paragraph 5 of the said letter states as follows :

“That Sir, above mentioned Writ Petition related Bills are already sent to A.P. HQR due to the High Charge Bill sanctioned from A.P. HQR. In this regard above mentioned Writ Petition related vehicle hire charge amount Rs.4,13,992.00 (Rupees Four Lakhs thirteen thousand nine hundred ninety two) only already submitted to A.P HQR for sanctioned which pending till date.”

The letter dated 06.02.2024 issued by the Superintendent of Police, Hojai is made a part of the record and marked as Annexure-X.

5. At this stage, Mr. P.R. Sarma, learned counsel for the petitioner prays that he may be allowed to withdraw the writ petition, with liberty to file afresh, by impleading the Assam Police, Headquarters, as sanction for the payment of the hiring charges has to be given by them.

6. The prayer of the petitioner's counsel is allowed.

7. The writ petition is dismissed as withdrawn, with liberty to file afresh, after impleading the Assam Police Headquarters.

JUDGE

Comparing Assistant