

GAHC010023052021



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

Case No. : WP(C)/888/2021

MD. MONOWAR HUSSAIN
S/O LATE JABBAR ALI, R/O VILL. SANIADI, HAJO, P.O. SANIADI, P.S. HAJO,
DIST. KAMRUP (R), ASSAM.

VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE COMMISSIONER AND SECY. GOVT. OF ASSAM,
HOME DEPTT., DISPUR, GUWAHATI 6

2:THE ADDL. CHIEF SECY. TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GUWAHATI 6

3:THE PRINCIPAL SECY. TO THE GOVT. OF ASSAM
STATE HOME DEPTT.
DISPUR
GUWAHATI 6

4:THE DIRECTOR GENERAL OF POLICE
ASSAM
B.K. KAKATY ROAD
ULUBARI
GUWAHATI 7

5:THE ADDL. DIRECTOR GENERAL OF POLICE (ADMN)
ASSAM
B.K. KAKOTY ROAD
ULUBARI
GUWAHATI 7

6:THE ADDL. INSPECTOR GENERAL OF POLICE (ADMN)
ASSAM
B.K. KAKOTY ROAD
ULUBARI
GUWAHATI -7

7:THE SUPERINTENDENT OF POLICE
KAMRUP (M)
GUWAHATI
ASSAM.

8:THE DIST. MAGISTRATE CUM DEPUTY COMMISSIONER
KAMRUP (M)
GUWAHATI
ASSAM.

9:THE MOTOR TRANSPORT OFFICER (M.T.O.)
KAMRUP (M)
GUWAHATI
ASSAM

Advocate for the Petitioner : MR. J I BORBHUIYA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

22.03.2024

1. Heard Mr. L. Mohan, learned counsel for the petitioner and Ms. U. Das, learned counsel for all the respondents.
2. The petitioner is aggrieved by non-payment of the hiring charges of his vehicles bearing registration nos. AS-25D-9059 (Scorpio) and AS-25A-5499 (Water Tanker), amounting to Rs.11,75,977/-, payable by the respondents.

3. Ms. U. Das, leaned counsel submits that affidavit-in-opposition has been filed on behalf of the respondent no.4, who is the Deputy Commissioner of Police (Adm.), Guwahati, which is to the effect that while the petitioner had claimed an amount of Rs.11,75,977/-, on checking the records it was found that an amount of Rs.1,85,721/- had already been paid to the petitioner. The remaining balance amount of Rs.9,90,256/- would be paid to the petitioner, as a proposal has been sent to the Assam Police Headquarters for sanction of the said amount.

4. In view of the submissions made by the counsels for the parties and on perusing the affidavit-in-opposition filed by the respondent no.4, the respondents are directed to pay to the petitioner the balance amount of Rs.9,90,256/-, within a period of 4 (four) months from the date of receipt of a certified copy of this order.

5. As the present order has been made on the basis of the affidavit-in-opposition which has been submitted by Ms. U. Das, Registry to ensure that the affidavit filed by Ms. U. Das is placed on record.

6. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant