

GAHC010033542024



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

Case No. : WP(C)/979/2024

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

VERSUS

THE STATE OF ASSAM AND 6 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
ASSAM

7:DIRECTOR GENERAL OF POLICE
ASSAM POLICE HEADQUARTERS
DR. BK KAKATI ROAD
ULUBARI
GUWAHATI
PIN CODE- 781008
ASSA

Advocate for the Petitioner : MR P R SARMA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

26.02.2024

1. Heard Mr. P.R. Sarma, learned counsel for the petitioner and Mr. G. Bokaliyal, learned counsel for all the respondents.
2. The case of the petitioner 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.
3. Being aggrieved by non-payment of his bills, the petitioner had earlier filed WP(C) No. 278/2024. During the proceedings of WP(C) No. 278/2024 the counsel for the BTC had 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 stated that the petitioner's related vehicle bills amounting to Rs.4,13,992/-, had been sent to the Assam Police Headquarters for sanction.

4. Paragraph 5 of the said letter dated 06.02.2024 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.”

5. As the Assam Police, Headquarters had not been made a party, the petitioner was allowed to withdraw WP(C) No.278/2024 with liberty to file afresh. He has now filed the present writ petition.

6. In view of the above letter dated 06.02.2024 issued by the respondent No.3, the respondents, especially the respondent Nos.3 and 7 are directed to make payment of Rs.4,13,992/- to the petitioner, within a period of 1(one) month from the date of receipt of a certified copy of this order, after verification of the amount claimed is made by the respondent No.7.

7. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant