

GAHC010102682023



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

**Case No. : WP(C)/2670/2023**

SUBIR PAUL  
S/O- LATE HARENDRA PAUL, R/O- SANTINAGAR, WARD NO-3,  
P.O AND P.S- KOKRAJHAR, DIST- KOKRAJHAR (BTAD), ASSAM

VERSUS

THE STATE OF ASSAM AND 10 ORS.  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
HOME DEPARTMENT  
DISPUR, GHY-06.

2:THE BODOLAND TERRITORIAL AUTONOMOUS COUNCIL  
REP. BY THE PRINCIPAL SECRETARY  
BTAD KOKRAJHAR  
ASSAM

3:THE ADDL. CHIEF SECRETARY  
TO THE GOVT. OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GHY-06.

4:THE PRINCIPAL SECRETARY  
TO THE GOVT. OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GHY-06.

5:THE DIRECTOR GENERAL OF POLICE

ASSAM  
ULUBARI  
GUWAHATI-07

6:THE ADDL. DIRECTOR GENERAL OF POLICE

(ADMIN)  
ULUBARI  
GUWAHATI-07

7:THE ADDL. DIRECTOR GENERAL OF POLICE

BTAD  
KOKRAJHAR  
ASSAM

8:THE ADDL. INSPECTOR GENERAL OF POLICE

(ADMIN)  
ULUBARI  
GUWAHATI-07

9:THE SUPERINTENDENT OF POLICE

KOKRAJHAR  
ASSAM

10:THE DISTRICT MAGISTRATE CUM DEPUTY COMMISSIONER

KOKRAJHAR (LAW AND ORDER)  
KOKRAJHAR  
ASSAM

11:THE MOTOR TRANSPORT OFFICER (M.T.O)

KOKRAJHAR  
ASSA

**Advocate for the Petitioner** : MR. J I BORBHUIYA (advocate)

**Advocate for the Respondent** : Mr. K. Gogoi (Advocate)  
Mr. P. Nayak (Advocate)

**BEFORE  
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

**ORDER**

**Date : 19.07.2024**

Heard Mr. J. I. Borbhuiya, the learned counsel appearing on behalf the petitioner. Mr. K. Gogoi, the learned counsel appearing on behalf of the respondent Nos. 1, 3, 4, 5, 6, 8, 9 & 10. Mr. P. Nayak, the learned counsel appearing on behalf of the respondent Nos. 2 and 11.

2. The instant writ petition has been filed by the petitioner being aggrieved by the non-payment of its dues to the tune of Rs. 46,06,252/- which the respondent authorities are liable to pay to the petitioner on account of hiring of the vehicles belonging to the petitioner.

3. This Court has issued notice on 29.05.2023 and pursuant thereto, today Mr. K. Gogoi, the learned counsel appearing on behalf of the respondents has placed before this Court an instruction issued by the Superintendent of Police, Kokrajhar, Assam, wherein it has been duly admitted that the petitioner is entitled to the amount of Rs. 46,06,252/- against the hiring of as many as 22 vehicles. However, on account of non-receipt of the sanction order, the said amount could not be paid. The said instruction which has been produced before this Court is kept on record and marked with the letter 'X'.

4. Taking into account that the amount of Rs. 46,06,252/- is admitted by the respondent authorities as payable to the petitioner, this court disposes of the instant writ petition with a direction to the Director General of Police, to take appropriate steps for sanctioning of the said amount and post the sanction, granted, the respondent authorities more particularly the respondent No. 9 shall duly disburse the said amount to the petitioner.

5. The said exercise be completed within period of 6 (six) months from the date a certified copy is served upon the respondent No. 5 along with a copy to the respondent no. 9.

5. With the above the instant writ petition stands disposed of.

**JUDGE**

**Comparing Assistant**