

GAHC010126192020



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

Case No. : WP(C)/3607/2020

MANJU BIBI
W/O- MD. ANOWAR HUSSAIN, R/O- VILL- SANIADI, HAJO, P.O. SANIADI,
P.S. HAJO, DIST.- KAMRUP (R), ASSAM

VERSUS

THE STATE OF ASSAM AND 9 ORS.
REP. BY THE COMM. AND SECY. GOVT. OF ASSAM, HOME DEPTT., DISPUR,
GHY-6

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

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

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

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

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

7:THE DY. INSPECTOR GENERAL OF POLICE
NORTHERN RANGE
ASSAM
TEZPUR

8:THE SUPERINTENDENT OF POLICE SONITPUR TEZPUR ASSAM

9:THE DISTRICT MAGISTRATE-CUM-DY. COMMISSIONER SONITPUR
TEZPUR (LAW AND ORDER) DIST.- SONITPUR ASSAM

10:THE MOTOR TRANSPORT OFFICER POLICE RESERVE TEZPUR
DIST.- SONITPUR ASSAM

Advocate for the Petitioner : MR. J I BORBHUIYA

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 07.06.2024

Heard Mr. J. I. Borbhuiya, learned counsel for the petitioner. Also heard Ms. Usha Das, learned Addl. Senior Government Advocate, Assam, appearing on behalf of all the respondents.

The petitioner by way of instituting the present writ petition, has raised a grievance with regard to non-payment of the bills so raised by her in connection with the requisition of her vehicle bearing Registration No. AS-25-J-2848(INNOVA) by the State respondents.

It is contended that the above-mentioned vehicle of the petitioner was so

requisitioned by the respondent authorities for varying periods during the year 2017-2020 for the purpose of maintenance of law & order.

The petitioner had submitted bills for the periods when the above-noted vehicle was so requisitioned by the respondent authorities. The amount so claimed by the petitioner on account of the requisition of her said vehicle on various occasion works out to Rs. 20,89,796/-(Rupees Twenty Lakhs Eighty Nine Thousand Seven Hundred Ninety Six) only.

Ms. Das, learned Addl. Senior Government Advocate, Assam, while not disputing the factum of the vehicle of the petitioner being requisitioned by the State respondents and utilized by the respondent authorities, however, has disputed the amount so claimed by the petitioner for the purpose.

In view of the above position; the petitioner is now required to submit a representation in the matter before the Superintendent of Police, Sonitpur, with regard to the particulars of the period, the above-mentioned vehicle was so requisitioned by the respondent authorities along with the amount as claimed by her for such period, within a period of 10(ten) days from today along with a certified copy of this order and claim the amounts due to her.

The Superintendent of Police, Sonitpur, on receipt of such representation, shall examine the claim so made by the petitioner and on such examination being made with the contemporaneous records as maintained in the matter; shall determine the amount so due to the petitioner against her vehicle.

The amount so determined shall, thereafter, be released to the petitioner within a period of 2(two) months from the date of receipt of the representations along with a certified copy of this order.

With the above directions and observations, this writ petition stands disposed of.

JUDGE

Comparing Assistant