

GAHC010154882023



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

Case No. : WP(C)/4025/2023

GAUTAM BRAHMA
S/O- DWIJEN BRAHMA, R/O- TENGAPARA, KOKRAJHAR TOWN, WARD NO.
5, P.O., P.S. AND DIST. KOKRAJHAR, BTAD, ASSAM

VERSUS

THE STATE OF ASSAM AND 10 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY GOVERNMENT
OF ASSAM, HOME DEPARTMENT, DISPUR, GUWAHATI-6.

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

3:THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-6.

4:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
STATE HOME DEPARTMENT
DISPUR
GUWAHATI-6.

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

6:THE ADDITIONAL DIRECTOR GENERAL OF POLICE (ADMN)

ASSAM
B.K. KAKOTY ROAD
ULUBARI
GUWAHATI-7.

7:THE ADDITIONAL DIRECTOR GENERAL OF POLICE
BTAD

KOKRAJHAR
ASSAM

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

9:THE SUPERINTENDENT OF POLICE

KOKRAJHAR
ASSAM

10:THE DISTRICT MAGISTRATE-CUM-DEPUTY COMMISSIONER

KOKRAJHAR
(LAW AND ORDER)
DIST. KOKRAJHAR
ASSAM

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

KOKRAJHAR
ASSA

Advocate for the Petitioner : MR. J I BORBHUIYA

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

03.04.2024

1. Heard Mr. J.I. Borbhuiya, learned counsel for the petitioner. Also heard Mr. M.

Chetia, learned counsel for all the respondents, except respondent Nos. 2 & 7, who are represented by Ms. H. Baruah, learned counsel appearing on behalf of Mr. P. Nayak, learned Government Advocate, Assam.

2. The petitioner's case is that the petitioner is the registered owner of a vehicle bearing registration No. AS-16-D-8007, which was hired by the respondents on different dates. However, the petitioner's bills amounting to Rs.5,29,166/- has not been paid to the petitioner.

3. Mr. M. Chetia, learned counsel appearing for all the respondents, except respondent Nos. 2 & 7, submits that the hiring charges of the petitioner's vehicle amounting to Rs.5,29,166/- has been forwarded to the Assam Police Headquarters, Ulubari, Guwahati on different occasions through various memos, for according necessary sanction for release of funds. As such, as soon as the amount is sanctioned and released, the same would be paid to the petitioner.

4. I have heard the learned counsels for the parties.

5. On account of the categorical admission by the respondent No.9 in Para 5 of the affidavit-in-opposition that the petitioner is to be paid the admitted amount of Rs. Rs.5,29,166/-, as soon as funds are received from the higher authorities, the respondents are directed to make payment of the admitted amount within a period of 3 months, from the date of receipt of a certified copy of this order.

6. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant