

GAHC010156372023



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

Case No. : WP(C)/4280/2023

ASSRAFUN NESSA
W/O- RAFIQR RAHMAN,
R/O- H.NO. 13, BYE LNE NO. 2,
TARUN NAGAR ABC,
P.S.- BHANGAGARH,
DISTRICT- KAMRUP(M), ASSAM.
PIN- 781005.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
HOME DEPARTMENT,
DISPUR, GUWAHATI- 781006.

2:THE DIRECTOR GENERAL OF POLICE
ULUBARI
GUWAHATI- 781007.

3:THE COMMISSIONER OF POLICE
PANBAZAR
GUWAHATI- 781001.

4:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI- 781006.

5:THE M.T.O.
POLICE RESERVE
A.T. ROAD

GUWAHATI

Advocate for the Petitioner : MR A KHANIKAR

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 23-02-2024

Heard Mr. A Khanikar learned counsel for the petitioner and Mr. K Gogoi learned counsel for respondent Nos.1 to 3 and 5 and Mr. A Chaliha learned counsel for the respondent No.4.

Aggrieved by non disbursal of two bills amounting to Rs.3,67,481/- and 3,71,519 totaling Rs.7,39,000.00, in respect of hiring the vehicles by the respondent authorities more particularly the respondent No.3 for the period with effect from 01.01.2016 to 30.06.2016 and from 01.07.2016 to 31.12.2016 respectively the petitioner has approached this court by filing this writ petition.

Mr. K Gogoi learned counsel on receipt of written instructions has submitted that the Deputy Commissioner of Police (Admn) by its communication dated 22.12.2023 has already reported the non disbursal to the Deputy Commissioner of Police Crime, Guwahati Assam and requested to accord sanction of the fund for an amount of Rs.7,39,000/-.

Mr. Gogoi has also produced a communication dated 22.12.2023 issued by the Deputy Commissioner of Police (Admn) to the Deputy Commissioner of Police (Crime). Accordingly the same be

kept on record and marked as document 'X'.

Mr. K Gogoi learned counsel for the respondent further submits that he received instruction that without sanction and allotment of the funds, the amount cannot be paid and such sanction is yet to be received from the competent authority i.e., Office of Director General of Police.

In view of the aforesaid clear admission the present writ petition is disposed of directing the Director General of Police, Assam to verify the claim of the petitioner as well as the report of the Deputy Commissioner of Police (Admn) and if it is found that the petitioner is entitled to the aforesaid amount of Rs.7,39,000/- the same be paid to the petitioner at the earliest.

The aforesaid exercise be carried out within a period of 3 months from the date of receipt of a certified copy of this order to be furnished by the petitioner to the Director General of Police, Assam.

In view of the above, the writ petition stands disposed of.

JUDGE

Comparing Assistant