

GAHC010162602024



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

Case No. : WP(C)/4106/2024

URBASHI BARUA
W/O- SRI KULDIP BARUA, RESIDENTS OF- HOUSE NO. 1, NATUN PATH, P.O.
HATIGAON, P.S.- HATIGAON, DISTRICT- KAMRUP (M), ASSAM

VERSUS

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

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

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

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

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

6:THE COMMISSIONER OF POLICE GUWAHATI ASSAM

7:THE DISTRICT MAGISTRATE-CUM- DEPUTY COMMISSIONER
KAMRUP (M) (LAW AND ORDER) DISTRICT- KAMRUP (M) ASSAM

Advocate for the Petitioner : MR. J I BORBHUIYA, MR A HOSSAIN,MRS. K H
CHOUDHURY,MR. L MOHAN

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 16.08.2024

Heard Mr. J. I. Borbhuiya, learned counsel for the petitioner. Also heard Mr. S. Baruah, learned Government Advocate, 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 vehicles by the State respondents.

It is contended that the vehicles were so requisitioned for different purposes and thereafter, they were so released after utilizing them for the periods as noted in Annexure-2 of the writ petition.

It is also contended that after the requisition period was over and the vehicles were returned; the petitioner had submitted the bills against the requisition of her vehicles. However, the respondent authorities have not cleared the bills, in question, and on account of such inaction on the part of the respondent authorities; the petitioner has instituted the present proceeding.

Mr. Baruah, learned Government Advocate, while not disputing the factum of the vehicles of the petitioner being requisitioned by the State respondents and utilized by the respondent authorities; however, has disputed the amounts so claimed by the petitioner for the purpose.

In view of the above position; the petitioner is now required to submit representations against each of the vehicles so requisitioned by the State respondents with all particulars so necessitated before the Commissioner of Police, Guwahati, Assam (respondent No. 6, herein), 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 Commissioner of Police, Guwahati, Assam, on receipt of such representations, 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 each of her vehicles.

The amount so determined, shall, thereafter, be released to the petitioner within a period of 3(three) 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