

GAHC010165852022



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

Case No. : WP(C)/5946/2022

RAJESH KUMAR
S/O- DHIAN CHAND,
R/O- VILL HOUSE NI 8 TAPYAL,
P.O AND TEHSIL - GHAGWAL,
P.S- JATWAL,
DIST- SAMBA, JAMMU AND KASHMIR-184141

VERSUS

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

2:THE DIRECTOR GENERAL OF POLICE

ASSAM
ASSAM POLICE HEAD QUARTER
ULUBARI
GUWAHATI-781007

3:THE DEPUTY COMMISSIONER

OF POLICE (A)
GUWAHATI
ASSAM POLICE COMMISSIONERATE
O/O THE ASSAM POLICE HEAD QUARTER
ULUBARI
GUWAHATI
ASSAM

4:THE ASSISTANT INSPECTOR GENERAL OF POLICE (A)
ASSAM

ULUBARI
GUWAHATI -07
ASSAM

5:THE SENIOR SUPERINTENDENT OF POLICE
GUWAHATI
O/O THE ASSAM POLICE HEAD QUARTER
ULUBARI
GUWAHATI
ASSA

Advocate for the Petitioner : MR H GUPTA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

05-02-2024

Heard Mr. H. Gupta, learned counsel for the petitioner. Also heard Mr. K. Gogoi, learned State Counsel.

Aggrieved by non-payment of outstanding dues for hiring the petitioner's vehicles bearing Registration Nos.AS-13/B-0734 and AS-01-AH-0887 by the Assam Police, the petitioner has filed the present writ petition.

The petitioner has relied upon the order dated 30.03.2022 passed by the State Chief Information Commissioner, for payment of his bills amounting to Rs.12,90,549/-, which was allegedly sanctioned way back in 2013.

The respondent no. 3 has submitted an affidavit wherein the letter dated 18.06.2022 issued by the Deputy Commissioner of Police (Admn), Guwahati has been annexed. The same shows that the respondents have admitted that Rs.5,26,300/- is payable to the petitioner.

I have heard the learned counsel for the parties.

In view of the admission made by the respondents to the effect that the petitioner is liable to be paid Rs.5,26,300/-, the respondents are directed to pay the

said admitted amount within a period of 2 (two) months from the date of receipt of the certified copy of this order.

In respect of the remaining bills in respect of the vehicle bearing Registration No. AS-13/B-0734, the respondent no. 3 shall verify the claim of the petitioner, keeping in view the order dated 30.03.2022 passed by the State Chief Information Commissioner, Assam. Thereafter, any admitted amount found pending against the petitioner should be paid to the petitioner. The said exercise should be concluded by the respondent no. 3 within a period of 4 (four) months from the date of receipt of the certified copy of this order.

In the event, the petitioner is aggrieved by the order passed by the respondent no. 3, he may approach any other appropriate forum for redressal of his grievance, but not this forum.

Writ petition is accordingly disposed of.

JUDGE

Comparing Assistant