

GAHC010189952024



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

Case No. : WP(C)/4727/2024

M/S PASHUPATI TRADERS

A PROPRIETORSHIP FIRM HAVING ITS REGISTERED OFFICE AT HOUSE
NO. 43, SURAJ NAGAR, G.S. ROAD, SIXMILE, KAMRUP METROPOLITAM,
GUWAHATI-781022, ASSAM, REPRESENTED BY ITS PROPRIETOR UTPAL
KUMAR GAYON, SON OF SRI KHARGESWAR GAYON, R/O- SYNERGY
PARADISE, BLOCK -1, B2, BIDYAMANDIR PATH, BHETAPARA, GUWAHATI-
781028, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, HOME AND POITICAL DEPARTMENT, DISPUR, GUWAHATI-781006,
DIST- KAMRUP, ASSAM

2:THE COMMISSIONER OF POLICE

PANBAZAR
GUWAHATI-781001
DIST. KAMRUP(M)
ASSAM

3:THE DIRECTOR GENERAL OF POLICE

ASSAM POLICE HEADQUARTERS
ULUBARI
GHY-781007
DIST. KAMRUP(M)
ASSAM

4:THE MOTOR TRANSPORT OFFICER
POLICE RESERVE

BIRUBARI
GUWAHATI-781016
DIST. KAMRUP(M)
ASSAM

5:THE DEPUTY COMMISSIONER
KAMRUP METROPOLITAN DISTRICT
GUWAHATI
PIN- 781001
ASSAM

6:THE COMMISSIONER AND SECRETARY
GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-781006
DIST. KAMRUP
ASSA

Advocate for the Petitioner : MR. T K MISRA, MR. P K MUNIR,DIPTI CHAKRAVARTY,MR. A. GAYAN

Advocate for the Respondent : GA, ASSAM, SC, FINANCE

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

07.11.2024

1. No one appears for the petitioner on call, while Mr. U. Das, learned counsel appears for all the respondents.
2. The present writ petition has been filed by the petitioner, praying for a direction to be issued to the respondents, for paying the vehicle hire charges amounting to Rs.6,76,768/-. The petitioner's grievance is that despite the Commissioner of Police, Kamrup(M) having hired the petitioner's vehicle, i.e. Mahindra Thar, bearing registration no. AS 01 DH 5262, the vehicle hire charges

have not been paid till date.

3. Ms. U. Das, learned counsel has submitted letter no. V/HC-104/W.P(C) No.4727-24/2024/1700 dated 27.09.2024, issued by the Deputy Commissioner of Police (Crime), Guwahati, which is addressed to Mr. K. Gogoi, the Additional Senior Government Advocate, Gauhati High Court, Guwahati, which admits the fact that the petitioner's three vehicle hire charge bills have been verified with the records available and found that the petitioner's claim for Rs.6,76,768/- to be in order. The letter dated 27.09.2024 further states that the bills of the petitioner were accordingly forwarded to the sanctioning authority, for allotment of the fund for payment to the petitioner. However, the request for sanction and allotment of the fund from the sanctioning authority was still pending before the sanctioning authority.

4. On considering the letter dated 27.09.2024 issued by the Deputy Commissioner of Police (Crime), Guwahati, it is clear that the respondents have admitted that they owe the petitioner the outstanding vehicle hire charges of Rs.6,76,768/- and that the amount would be paid to the petitioner when sanction is accorded by the sanctioning authority.

5. In view of the above fact, the respondents are directed to ensure that the fund is made available for payment of the outstanding amount to the petitioner. The sanctioning authority shall also sanction the said amount for payment to the petitioner. The entire process should be completed within a period of 4 (four) months from the date of receipt of a certified copy of this order.

6. The letter dated 27.09.2024 is made a part of the record and marked as Annexure-X.

7. The writ petition is accordingly allowed.

JUDGE

Comparing Assistant