

GAHC010204532022



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

Case No. : WP(C)/6623/2022

MINAKSHI BORA
D/O- HEMKANTA BORA,
R/O- KAHILIPARA, POWER HOUSE, DIST- KAMRUP (M), GUWAHATI-19,
ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS
REP. BY THE COMMISSIONER AND SECRETARY, HOME DEPARTMENT
GOVERNMENT OF ASSAM, DISPUR, GUWAHATI-781006

2:THE DIRECTOR GENERAL OF POLICE

ASSAM
ULUBARI
GUWAHATI-781007

3:THE COMMISSIONER

OF POLICE
KAMRUP (M)
GUWAHATI
ASSA

Advocate for the Petitioner : MR. U SAIKIA

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

27.05.2024

Heard Mr. Z Islam, learned counsel for the petitioner. Also heard Mr. B.J. Talukdar, learned Sr. counsel for the respondents.

2. The petitioner is in the business of supplying vehicles on hire basis. The respondent authorities requisitioned the vehicles belonging to the petitioner on hire basis on several dates. Accordingly, the writ petitioner submitted the bills before the authorities concerned and in total which amounts to Rs. 19,00,309/-. Although the bills submitted have been accepted by the authorities and have been forwarded to the higher authorities, yet the same has not been settled till date. Under such circumstances, the petitioner is aggrieved and before this Court.

3. The respondents have filed the counter affidavit wherein they have acknowledged the claims of the writ petitioner. It is stated that the bills submitted were forwarded to the sanctioning authority and is presently pending there before the competent authority. The affidavit is filed by the Deputy Commissioner of Police (Administration), Pan Bazaar.

4. The petitioner has filed a rejoinder affidavit reiterating her grievances.

5. From a perusal of the pleadings available, it is seen that the claims of the writ petitioner are not disputed, the learned counsel for the petitioner submits that in the particulars mentioned in their affidavit, the respondents have not referred to the entire details in respect of the vehicles supplied by the writ petitioner to the respondents.

6. In the rejoinder affidavit filed by the petitioner at Paragraph-6, the entire

particulars in respect of the vehicles supplied and the amounts claimed have been mentioned, showing total amount of Rs. 19,00,309/-

7. Since it is not disputed by the respondents that the vehicles supplied by the writ petitioner have been taken on hire by the respondent authorities, this Court is of the considered view that the writ petition can be closed at this stage directing the respondents to verify into the claims made by the writ petitioner and if the same are found to be correct then the amount claimed by the petitioner is required to be released forthwith without further delay to the writ petitioner.

8. The respondent No. 2 will ensure that proper verification is made and upon verification, the amount found to be payable to the petitioner, the same shall be released within a period of three months from the date of receipt of a certified copy of this order.

9. The writ petition stands disposed of in terms of the above.

JUDGE

Comparing Assistant