

GAHC010226712023



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

Case No. : WP(C)/5942/2023

SALMA JERIN
W/O- MURTAZA SAIDUZ ZAMAN,
S/O- FAIZUL HOQUE,
R/O- VILLAGE AND P.O- BORMONIPUR,
DIST- MORIGAON, ASSAM, PIN-782142

VERSUS

THE STATE OF ASSAM AND 7 ORS
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM, HOME
DEPARTMENT
DISPUR, GUWAHATI-06.

2:THE PRINCIPAL SECRETARY
TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-06.

3:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI-07

4:THE ASSISTANT INSPECTOR GENERAL OF POLICE (A)
ASSAM
ASSAM
ULUBARI
GUWAHATI-07

5:THE DISTRICT COMMISSIONER
SANKARDEV NAGAR
HOJAI

DIST- HOJAI
ASSAM

6:THE SUPERINTENDENT OF POLICE
SANKARDEV NAGAR
HOJAI
DIST- HOJAI
ASSAM
PIN-782442

7:MOTOR TRANSPORT OFFICER
O/O THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI-07

8:MOTOR TRANSPORT OFFICER
POLICE RESERVE
HOJAI
SANKARDEV NAGAR
DIST- HOJAI
ASSAM
PIN-78244

Advocate for the Petitioner : MR. A K HUSSAIN

Advocate for the Respondent : GA, ASSAM

**BEFORE
HON'BLE MR. JUSTICE KARDAK ETE**

O R D E R

29.01.2024.

Heard Mr. A.K. Hussain, learned counsel for the petitioner and also heard Mr. S.S. Roy, learned Government Advocate appearing for all the respondents.

(2) By filing this Writ Petition, the petitioner has prayed for a direction to the respondent authorities for payment of the admitted bill amounting to

Rs.8,72,635/- (Rupees eight lakh seventy two thousand six hundred thirty five) only, for requisition of the vehicle of the petitioner.

(3) The case projected by the petitioner is that she is the owner of the private vehicle bearing Registration No.AS-18-D-9944, which was requisitioned by the respondent No.6. The said vehicle was requisitioned on 17.09.2021, initially for a period of seven days. However, the vehicle was released by the respondents only on 02.08.2023.

(4) The petitioner submitted that the bill/charges of her vehicle, which was requisitioned and withheld by the respondent No.6 upto 02.08.2023 is amounting to Rs.8,72,635/- (Rupees eight lakh seventy two thousand six hundred thirty five) only and the same is admitted and due to the petitioner. The petitioner has filed a representation on 02.08.2023, for payment of the above amount, which is entitled to the petitioner. However, the respondent authorities failed to make the payment without any justified ground.

(5) Mr. S.S. Roy, learned Government Advocate while referring to the affidavit filed on behalf of the respondent No.6, has fairly submitted that the amount claimed by the petitioner is an admitted amount and the bills submitted by her has already been sent to the Assam Police Head Quarter for sanction and as and when the amount is sanctioned by the competent authority, the same shall be paid to the petitioner.

(6) Having considered the submissions of learned counsel for the parties and considering that the amount claimed by the petitioner is admitted by the respondent authorities, this Writ Petition is disposed of with a direction to the respondent authorities, more particularly the respondent Nos.4 & 6, to release the bill amount of Rs.8,72,635/-, within three months from the date of receipt of

the certified copy of this order.

(7) The Writ Petition stands disposed of with the above direction. No order as to cost(s).

JUDGE

Comparing Assistant