

GAHC010228492023



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

Case No. : WP(C)/6065/2023

MURTAZA SAIDUZ JAMAN
S/O FAIZUL HOQUE, R/O VILL AND P.O.-BORMONIPUR, DIST-MORIGAON,
ASSAM, PIN CODE-782142

VERSUS

THE STATE OF ASSAM AND 7 ORS
THROUGH THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, HOME DEPARTMENT, DISPUR, GUWAHATI-781006

2:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-781006

3:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI-7

4:THE ASSISTANT INSPECTOR GENERAL OF POLICE (A)
ASSAM
ULUBARI
GUWAHATI-781007

5:THE DISTRICT COMMISSIONER
SANKARDEV NAGAR
HOJAI
DIST-HOJAI
ASSAM

6:THE SUPERINTENDENT OF POLICE
SANKARDEV NAGAR
HOJAI

DIST-HOJAI
ASSAM
PIN CODE-782442

7:MOTOR TRANSPORT OFFICER (MTO)
OFFICE OF THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI-781007

8:MOTOR TRANSPORT OFFICER (MTO) POLICE RESERVE
HOJAI
SANKARDEV NAGAR
DIST- HOJAI
ASSAM
PIN CODE-78244

Advocate for the Petitioner : MR. A K HUSSAIN

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

12.02.2024

1. Heard Mr. A.K. Hussain, learned counsel for the petitioner and Mr. M. Chetia, learned counsel appearing for all the respondents except respondent no.2, who is represented by Ms. H. Barua, learned counsel appearing on behalf of Mr. A. Chaliha, learned counsel.
2. The petitioner's case is that he has not been paid the hiring charges of his vehicle bearing registration no.AS-09E-6253 (Tata Sumo) by the office of the respondent no.6, who hired the same during the period from 10.08.2020 to August 2023.
3. Mr. M. Chetia, learned counsel for the respondents has submitted letter No.HJI/MT/WP/3563/2023/551-53 dated 23.11.2023 issued by the

Superintendent of Police, Hojai and addressed to Mr. G. Bokalia, Junior Government Advocate, which states that the related vehicle bills amounting to Rs.10,28,310/- of the petitioner have been sent to the Assam Police, Headquarters for sanction.

4. Paragraph 5 of the said letter states as follows :

“That Sir, Hire charge Bills sanctioned from A.P. HQR and all the Bill vouchers are already sent to A.P. HQR with 15% Negotiation for the period from 08.08.2020 @ AM to 30.04.2022 @ PM. and others are submitted without Negotiation.”

The letter dated 23.11.2023 issued by the Superintendent of Police, Hojai is made a part of the record and marked as Annexure-X.

5. In view of the admission by the respondents with regard to the hiring charges made by the petitioner, the respondents especially the respondent nos.4 & 5, are directed to pay the admitted amount to the petitioner, within a period for 3 (three) months from the date of receipt of a certified copy of this order.

6. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant