

GAHC010228652023



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

Case No. : WP(C)/6019/2023

SMTI MANJU BIBI
W/O MD. ANOWAR HUSSAIN, R/O VILL-SANIADI, HAJO, P.O.-SANIADI, P.S.-
HAJO, DIST-KAMRUP (R), ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY GOVERNMENT
OF ASSAM, HOME AND POLITICAL DEPARTMENT, DISPUR, GUWAHATI-6

2:THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-6

3:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
STATE HOME DEPARTMENT
DISPUR
GUWAHATI-6

4:THE DIRECTOR GENERAL OF POLICE
ASSAM
B.K. KAKATY ROAD
ULUBARI
GUWAHATI-7

5:THE ADDITIONAL INSPECTOR GENERAL OF POLICE (ADMN)
ASSAM
B.K. KAKOTY ROAD
ULUBARI
GUWAHATI-7

6:THE SUPERINTENDENT OF POLICE
SIVASAGAR
ASSAM

7:THE DISTRICT MAGISTRATE -CUM- DEPUTY COMMISSIONER
SIVASAGAR (LAW AND ORDER)
DIST- SIVASAGAR
ASSAM

8:THE MOTOR TRANSPORT OFFICER (M.T.O.)
SIVASAGAR
ASSA

Advocate for the Petitioner : MR. J I BORBHUIYA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

20.02.2024

1. Heard Mr. L. Mohan, learned counsel for the petitioner and Mr. G. Bokalia, learned Junior Government Advocate, Assam for all the respondents.

2. It is the case of the petitioner that she is the registered owner of a vehicle bearing registration no. AS-25-J/2848 [Innova] [‘the subject-vehicle’, for short]. The petitioner has stated that the subject-vehicle was requisitioned/hired by the office of the respondent no. 6 on different occasions during the period from 2022 to 2023 for the purpose of staff use. Though the subject-vehicle was released after such hiring/requisition, the bills submitted by the petitioner towards such hiring/requisition amounting to Rs. 6,76,408/- has not yet been disbursed to the petitioner.

3. Mr. G. Bokalia, learned Junior Government Advocate has submitted the parawise comments furnished to him, vide letter no.SVR/MT/2023/673 dated 07.11.2023 issued by the Superintendent of Police, Sivasagar. The said letter dated 07.11.2023 has admitted at paragraph-6 that the petitioner's vehicle was hired at different times w.e.f. 01.08.2022 till 31.05.2023 and that there was an outstanding amount of Rs.6,76,408/- as hiring charges.

The above letter dated 07.11.2023 is made a part of the record and marked as Annexure-'X'.

4. In view of there being an admission of the amount of Rs.6,76,408/- payable by the respondents to the petitioner, the respondents are directed to pay the admitted amount mentioned above within a period of 2 (two) months from the date of receipt of a certified copy of this order.

5. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant