

GAHC010092912025



2026:GAU-AS:532

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

Case No. : WP(C)/2428/2025

MRS ANJALI DAS
W/O- SRI SARANGA DAS.
R/O- KIRANMAYEE APARTMENT, MATHURA NAGAR, ASSAM
SACHIVALAYA, P.O.- ASSAM SACHIVALAYA, PS -DISPUR, DISTRICT-
KAMRUP (M),GUWAHATI-781006, ASSAM.

VERSUS

THE STATE OF ASSAM AND ORS
REPRESENTED BY THE PRINCIPAL SECRETARY, HOME AND POLITICAL
DEPARTMENT, DISPUR, GUWAHATI-781006, KAMRUP (M), ASSAM

2:THE COMMISSIONER OF POLICE
ASSAM POLICE COMMISSIONERATE
M G ROAD
PANBAZAR
GUWAHATI-781001
KAMRUP(M)
ASSAM

3:THE DIRECTOR GENERAL OF POLICE
GUWAHATI-7
ASSAM

4:THE ASSISTANT INSPECTOR GENERAL OF POLICE (ADMINISTRATION)
ULUBARI
GUWAHATI-7
ASSAM

5:THE MOTOR TRANSPORT OFFICER
POLICE RESERVE
ASSAM POLICE COMMISSIONERATE
M G ROAD

PANBAZAR
GUWAHATI-781001
KAMRUP(M)
ASSAM

6:ADDITIONAL DISTRICT MAGISTRATE
KAMRUP (METROPOLITAN)
GUWAGHATI-1
ASSA

Advocate for the Petitioner : MR. A DEKA,

Advocate for the Respondent : G. A. ASSAM., GA, ASSAM

:::BEFORE:::

HON'BLE MR. JUSTICE KARDAK ETE

Date on which judgment is reserved : 19.01.2026

Date of pronouncement of judgment : 19.01.2026

**Whether the pronouncement is of the
Operative part of the judgment** : N/A

**Whether the full judgment has been
Pronounced** : Yes

Judgment & Order (Oral)

Heard Mr. A. Deka, learned counsel for the petitioner. Also heard Mr. K. Gogoi, learned Additional Senior Government Advocate for the respondents.

2. Aggrieved by the non-payment of the outstanding hire charges of the vehicle of the petitioner amounting to Rs. 4,42,932/- (rupees four lakh forty-two

thousand nine hundred thirty-two) only, the present writ petition has been filed seeking a direction to the respondent authorities to make payment of the said amount.

3. The petitioner claims to be a reputed entrepreneur, who is engaged in the business of providing vehicles on hire across the State of Assam to various government as well as private organizations. The vehicle of the petitioner, Maruti Van was hired by the respondent authorities during the year 2024 for different periods. The hire was on the requisition of the respondent authorities for public service for the purpose of maintaining law and order in the State of Assam by the Additional District Magistrate, Kamrup Metropolitan District. The requisition order states that hire charges shall be paid on the submissions of bills before the concerned authorities in terms of the government notification dated 06.02.2014.

4. It is contended that the vehicle-Maruti Van provided by the petitioner was engaged for the period from 01.01.2024 to 31.12.2024. The respondent authorities had generated hire charges amounting to Rs. 4,42,932/- (rupees four lakh forty-two thousand nine hundred thirty-two) only. The petitioner contends that despite repeated approaches, the respondent authorities have failed to release the said outstanding amount, for which, she has suffered serious financial hardship.

5. Mr. Deka, learned counsel for the petitioner, submits that there is no dispute to the said outstanding bill amount of Rs. 4,42,932/- (rupees four lakh forty-two thousand nine hundred thirty-two) only, as the same is admittedly the hire charges of the vehicle on being requisitioned by the respondent authorities, which is an admitted amount payable to the petitioner. Therefore, a direction

may be issued to the respondent authority to release the said outstanding hire charge of the vehicle requisitioned by the respondents.

6. Mr. K. Gogoi, learned Additional Senior Government Advocate, although no affidavit in opposition is filed, by placing the para-wise comments from the respondent authorities, submits that the claim of the petitioner is for an amount of Rs. 4,42,932/- (rupees four lakh forty-two thousand nine hundred thirty-two) only and on scrutiny of the record, the amount claimed for the period from 01.01.2024 to 31.03.2024, amounting to Rs. 1,10,128/- (rupees one lakh ten thousand one hundred twenty-eight) only, relates to a vehicle registered in the name of one *Shri Raj Barman* and does not belong to the petitioner. However, the petitioner is entitled to an amount of Rs. 3,32,804/- (rupees three lakh thirty-two thousand eight hundred four) only in respect of the period from 01.04.2024 to 31.12.2024. After completion of the scrutiny, the concerned respondent authorities have forwarded the admitted amount of Rs. 3,32,804/- (rupees three lakh thirty-two thousand eight hundred four) only to the Assam Police Headquarters on 25.06.2025 for according approval and sanction as well as allotment of the fund for payment to the petitioner. He submits that the said outstanding admitted amount will be paid to the petitioner as soon as the approval, sanction and allotment of the fund is received from the competent authority.

7. I have considered the submissions of the learned counsels for the parties and also perused the materials available on record.

8. The claim of the petitioner is for an amount of Rs. 4,42,932/- (rupees four lakh forty-two thousand nine hundred thirty-two) only as an outstanding due in respect of the hire charges from the respondent authorities. The respondents

have admitted an amount of Rs. 3,32,804/- (rupees three lakh thirty-two thousand eight hundred four) only as an outstanding due to be paid to the petitioner and disputed an amount of Rs. 1,10,128/- (rupees one lakh ten thousand one hundred twenty-eight) only. It transpires that the respondent authorities have scrutinized the claim of the petitioner. Thereafter, the said admitted amount of Rs. 3,32,804/- (rupees three lakh thirty-two thousand eight hundred four) only has already been forwarded to the competent authority for approval, sanction and allotment of funds vide dated 25.06.2025.

9. Since the respondent authorities have clearly admitted an amount of Rs. 3,32,804/- (rupees three lakh thirty-two thousand eight hundred four) only as the amount payable to the petitioner for vehicle hire charges, there is no reason for them not to release the said admitted amount. The petitioner cannot be made to suffer indefinitely for want of approval and sanction.

10. Having considered that the respondent authorities have admitted their liabilities of Rs. 3,32,804/- (rupees three lakh thirty-two thousand eight hundred four) only to be paid to the petitioner being the vehicle hire charges after proper scrutiny of the claim of the petitioner, I find no reason to delay in making payment of the said admitted amount. Thus, it would be appropriate to direct the respondent authorities to make payment/release the aforesaid admitted amount of Rs. 3,32,804/- (rupees three lakh thirty-two thousand eight hundred four) only. Accordingly, the respondent authorities, more particularly respondent No. 4, i.e., the Director General of Police, Guwahati, Assam, is directed to pay/release the amount of Rs. 3,32,804/- (rupees three lakh thirty-two thousand eight hundred four) only to the petitioner within a period of 6 (six) months from the date of receipt of the certified copy of this order.

11. The petitioner is at liberty to approach the appropriate forum for the other disputed amount, if so advised.

12. The writ petition stands disposed of, in the terms above.

JUDGE

Comparing Assistant