

GAHC010180442025



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

**Case No. : WP(C)/4763/2025**

JAYANTA KALITA  
S/O LT. ASWINI KALITA, R/O MA CASTLE PARADISE, 6TH FLOOR, FLAT NO.  
6A AND 6D NEAR POST OFFICE, KAHILIPARA, P.O. KAHILIPARA, P.S.  
DISPUR, GUWAHATI 19, DIST. KAMRUP (M), ASSAM.

VERSUS

THE STATE OF ASSAM AND 7 ORS  
REPRESENTED BY THE COMMISSIONER AND SECY. GOVT. OF ASSAM,  
HOME DEPTT., DISPUR GUWAHATI 6

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM

STATE HOME DEPTT.  
DISPUR  
GUWAHATI 6

3:THE DIRECTOR GENERAL OF POLICE

ASSAM  
B.K. KAKATY ROAD  
ULUBARI  
GUWAHATI 7

4:THE ADDITIONAL DIRECTOR GENERAL OF POLICE  
(ADMN)  
ASSAM  
B.K. KAKOTY ROAD  
ULUBARI  
GUWAHATI 7

5:THE ADDITIONAL INSPECTOR GENERAL OF POLICE (ADMN)

ASSAM  
B.K. KAKOTY ROAD  
ULUBARI  
GUWAHATI 7

6:THE COMMISSIONER OF POLICE

GUWAHATI  
KAMRUP (M)  
ASSAM.

7:THE DIST. MAGISTRATE CUM DEPUTY COMMISSIONER

KAMRUP (M) (LAW AND ORDER)  
DIST. KAMRUP (M)  
ASSAM.

8:THE MOTOR TRANSPORT OFFICER (M.T.O.)  
KAMRUP (M)  
ASSAM

**Advocate for the Petitioner** : MR. J I BORBHUIYA, W.H. DEVI,MRS. K H CHOUDHURY,MR A HOSSAIN,MR. L MOHAN

**Advocate for the Respondent** : GA, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**21.01.2026**

Heard Shri L. Mohan, learned counsel for the petitioner. Also heard Ms. U. Das, learned State Counsel, Assam, who has informed that the affidavit-in-opposition on behalf of the respondent no. 6 has been filed.

**2.** The grievance of the petitioner is with regard to a direction for release of outstanding dues for hire of vehicles. It is the case of the petitioner that he is the registered owner of vehicles, bearing registration nos. AS-11-T 1816 (Bolero), AS-04-U-5352 (Scorpio), AS-07-Q 2555 (Bolero), AS-06-S 0444 (M/Thar) which were hired.

However, the hire charges, amounting to Rs.34,42,128.00 (Rupees Thirty four lakhs forty two thousand one hundred twenty eight) only have not been released to the petitioner.

**3.** Shri Mohan, learned counsel for the petitioner has drawn the attention of this Court to the affidavit-in-opposition filed by the respondent no. 6 in which, the amount claimed by the petitioner has been admitted.

**4.** Ms. Das, learned State Counsel has submitted that the issue has been examined and on verification of the same, the claimed amount has been forwarded for sanction.

**5.** The Hon'ble Full Bench of this Court in the case of ***Tamsher Ali & Ors. Vs. State of Assam & Ors.***, reported in **2008 (4) GLT 1** has laid down guidelines in case a writ petition being filed for a claim of contractual dues. Though a requirement has been laid down for an acknowledgement by the Head of the Department, in the instant case, the acknowledgement has come by way of an affidavit.

**6.** This Court has noted that in the affidavit-in-opposition filed by the respondent no. 6 on 08.01.2026, the amount claimed has been stated to be examined, found in order and forwarded for sanction and allotment of funds. The details of the bills were also mentioned in tabular form. For ready reference, the relevant averments are extracted hereinbelow:

*“5. That with regard to the statement made in paragraph - 5 of the Writ Petition, the answering deponent begs to state that petitioner has claimed 34, 42, 1281- (Rupees Thirty Four Lakhs Forty Two thousand One hundred and Twenty eight) only as outstanding dues. In view of the claim made by the petitioner, the matter requires to be examined to ascertain the correctness and*

*accordingly bills were examined with the available concerned records: -*

*(i) That, petitioner has claimed submitting of 20 no's of bills as per Annexure-2(colly). Accordingly, these bills were scrutinized, found in order and forwarded to the sanctioning authority, i.e. Assam Police Headquarter to accord approval of sanction as well as allotment of fund.*

*7. That with regard to the statements made in paragraphs-7 & 8 of the Writ Petition, the answering deponent begs to state that the representation dated 11-02-2025 was duly received, but the matter relating to the release of the payable amount always depend upon the Govt. Once FOC against the proposals are received, steps will be taken to credit the amount to the bank account of the petitioner.”*

**7.** Considering the same, it is directed that steps be taken for release of the amount in question in terms of the directions of the Hon’ble Full Bench of this Cour in the case of ***Tamsher Ali*** (*supra*).

**8.** The writ petition accordingly stands disposed of.

**JUDGE**

**Comparing Assistant**