

GAHC010219652025



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

Case No. : WP(C)/6000/2025

PRADIP TALUKDAR

S/O. LATE TARINI TALUKDAR, R/O. H. NO. 9, NEAR ASSAM ENGINEERING
INSTITUTE, CHANDMARI, GUWAHATI - 03, KAMRUP (M), ASSAM.

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY, HOME
DEPARTMENT, GOVT. OF ASSAM, DISPUR, GUWAHATI - 6.

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI -07.

3:THE ASSISTANT INSPECTOR GENERAL OF POLICE (ADMIN)
ASSAM
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI - 07.

4:THE COMMISSIONER OF POLICE
GUWAHATI (CITY)
PANBAZAR
GUWAHATI - 01
ASSAM.

5:THE DISTRICT COMMISSIONER
KAMRUP (METROPOLITAN) DISTRICT
LICHUBAGAN
HENGRABARI
ASSAM
GUWAHATI - 36.

6:THE ADDITIONAL DISTRICT MAGISTRATE
KAMRUP (METROPOLITAN) DISTRICT
LICHUBAGAN
HENGRABARI
ASSAM
GUWAHATI - 36.

7:THE MOTOR TRANSPORT OFFICER
POLICE RESERVE
PANBAZAR
GUWAHATI
DIST. KAMRUP (M)
ASSAM

Advocate for the Petitioner : MR. A GANGULY, MS. M ROY,MR TAPOBRAT CHHETRI
Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

19.01.2026

Heard Shri A. Ganguly, learned counsel for the petitioner, who is aggrieved by non-payment of contractual bills pertaining to hire of his vehicles.

As per the facts projected, the petitioner is the owner of certain vehicles bearing registration Nos. AS-01-FB-7101, AS-01-DF-0425, AS-01-EL-0019, AS-01-DF-0424, AS-01-EY-4578, AS-01-FB-7102, AS-01-LC-3736, AS-01-LC-3745, and AS-01-JC-7564. The aforesaid vehicles were requisitioned by the respondent authorities for which the petitioner had raised a bill of Rs. 53,38,923/- (Rupees Fifty Three Lakhs Thirty Eight Thousand Nine Hundred Twenty Three only). As the bills were not paid, the petitioner had approached this Court and notice was issued on 24.10.2025. The respondent no. 4 in this case has filed an affidavit on 08.01.2026.

Ms. U. Das, learned State Counsel has submitted that in the said affidavit,

the claim of the petitioner has been accepted and in fact the amount appears to be more than the amount claimed. As per the said affidavit, the amount has been stated to be Rs. 56,27,103/- (Rupees Fifty Six Lakhs Twenty Seven Thousand One Hundred and Three Only).

For ready reference the relevant averments made in the affidavit are extracted herein below:

“6. That with regards to the statements made in paragraph 10 of the writ petition, the answering deponent begs to state that the petitioner has claimed an amount of Rs. 53,38,923/- (Rupees fifty-three lakhs thirty-eight thousand nine hundred twenty-three) only instead of the actual amount of Rs. 53,38,943/-, i.e. less claimed of Rs-20/- as outstanding dues on account of hiring of those vehicles during the year 2023 and 2024. The bills received from the petitioner were scrutinized and found in order. Further, 2 (two) more bills for the period from 01.12.2023 to 31.12.2023 and 01.04.2024 to 30.06.2024 for an amount of Rs. 67,671/- and 2,20,489/-, i.e. total Rs. 2,88,160/- respectively against hiring of vehicle No. AS-01-LC-3736 have been found received from the petitioner as per records available. Though, the petitioner was found silent in the instant Writ Petition about hiring of the said vehicles by the Guwahati Police and submission of hire charge bills amounting to Rs.2,88,160/-, but this fact is available in the records. As such, those 33 (thirty-three) Numbers of bills along with the above 2 (two) numbers of bills i.e. total 35 numbers of bills amounting to Rs. 56,27,103/- (Rupees fifty-six lakhs twenty-seven thousand one hundred three) only have been forwarded to the Assam Police Headquarters after observing the formalities to accord approval of sanction. Thus, there is a difference of Rs. 2,88,160/- due to the inclusion of 2 (two) bills amount as stated above in addition to the claimed amount of Rs. 53,38,923/-. The details of the bills forwarded to the authority under 3(three) numbers of proposals are as follows (i) PROPOSAL NO. 3299-3309 (RV) dated 03.12.2025 for an amount of Rs. 679775.00, (ii) PROPOSAL NO. 3309-3321 (RV) dated 03.12.2025 for an amount of Rs. 2595535.00 and (iii) PROPOSAL NO. 3322-3333 (RV) dated 03.12.2025 for an amount of Rs. 2351793.00.

In this connection the Addl. Deputy Commissioner of Police (Admin.), Guwahati also

submitted a report dated 11.12.2025 stating that proposals amounting to Rs. 56,27,103/- (Rupees fifty-six lakhs twenty-seven thousand one hundred three) only has been forwarded to Assam Police Headquarters, Ulubari, Guwahati for according necessary sanction."

The aspect of entertaining a writ petition for a claim for contractual bills has been clearly deliberated and guidelines have been laid down by the Hon'ble Full Bench in the case of ***Tamsher Ali Vs State of Assam*** reported in **2008 (4) GLT 1**.

In the instant case, the acknowledgment is on affidavit filed by the respondent no. 4 as discussed above.

In view of the above, the respondent authorities are directed to take appropriate action in terms of the guidelines of the Hon'ble Full Bench to clear the outstanding claim of the petitioner expeditiously in accordance with law.

Writ petition stands disposed of.

JUDGE

Comparing Assistant