

GAHC010250572025



2026:GAU-AS:6072

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

Case No. : WP(C)/6544/2025

MANJU BIBI
WIFE OF ANOWAR HUSSAIN, RESIDENT OF- VILLAGE SANIADI, HAJO, P.O
-SANIADI, P.S- HAJO, DISTRICT- KAMRUP, ASSAM.

VERSUS

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

2:THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM
HOME DEPARTMENT
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. KAKATY ROAD
ULUBARI
GUWAHATI-7

5:THE DISTRICT MAGISTRATE -CUM- DISTRICT COMMISSIONER
KAMRUP
AMINGAON (LAW AND ORDER)
DIST- KAMRUP
ASSAM

6:THE SUPERINTENDENT OF POLICE
KAMRUP
AMINGAON
ASSAM

7:THE MOTOR TRANSPORT OFFICER
KAMRUP
ASSA

BEFORE

HON'BLE MR. JUSTICE DEVASHIS BARUAH

For the Petitioner(s) : Mr. A. Hossain, Advocate

For the Respondent(s) : Mr. G. Bokolial, Government Advocate

- Date on which Judgment was reserved : N/A
- Date of Pronouncement of Judgment : **04.05.2026**
- Whether the pronouncement is of the Operative Part of the Judgment : No
- Whether the full Judgment has been Pronounced : Yes

JUDGMENT AND ORDER (ORAL)

Heard Mr. A. Hossain, the learned counsel appearing on behalf of the Petitioner and Mr. G. Bokolial, the learned Government Advocate appearing on behalf of the Respondents.

2. The instant petition has been filed by the Petitioner being aggrieved by the inaction on the part of the Respondent Authorities in not making payment of the bills of the Petitioner.

3. The case of the Petitioner herein is that the Petitioner is the owner of three vehicles bearing Registration Nos. AS-25-S-0002 (Innova), AS-01-EC-0599 (Crane) and AS-01-T-9693 (Water Tanker). The said vehicles were hired by the Respondents on different dates during the years 2023–2025, subject to certain terms and conditions, for maintaining law and order in Kamrup District and were released on different dates after being utilized for varying periods. Thereafter, the Petitioner submitted bills amounting to Rs.27,66,509/- before the Respondent Authorities.

4. It is the further case of the Petitioner that the aforesaid amount has been duly verified by the Respondent Authorities; however, despite such verification, the admitted bill amount of Rs. Rs.27,66,509/- has not been released to the Petitioner. The Petitioner has also submitted various representations to the Respondent Authorities for release of the said amount; however, the amount of Rs.27,66,509/- remains unpaid, for which the Petitioner has approached this Court under Article 226 of the Constitution.

5. Mr. G. Bokolial, the learned Government Advocate during the course of the hearing has placed before this Court an instruction issued by the Senior Superintendent of Police, Kamrup, Amingaon

dated 03.02.2026. The said instruction is kept on record and marked with the letter "X".

6. From a perusal of the said instruction, it appears that the Respondents have duly admitted that the Petitioner is entitled to an amount of Rs.28,32,209/- and not Rs.27,66,509/-. Paragraph Nos. 4 and 5 of the said instruction dated 03.02.2026 being relevant are reproduced herein under:

“4. In respect of paragraph No.4, deponent begs to state that, it is fact that the vehicles were hired for different periods for emergency situation i.e. maintaining law & order situation etc. in Kamrup District as indicated below:

Sl. No.	Registration Nos. of Vehicle	Types of Vehicle	From	To	Total Nos. of Days	Amount Payable
1	AS-25-S-0002	INNOVA	01-12-23	31.12-23	31 days	67,671/-
2	AS-25-S-0002	INNOVA	01-01-24	31-03-24	91 days	2,20,488/-
3	AS-25-S-0002	INNOVA	01-01-24	31-07-24	122 days	2,95,600/-
4	AS-25-S-0002	INNOVA	01-08-24	31-03-25	243 days	5,30,457/-
5	AS-01-EC-0599	CRANE	01-12-23	31-12-23	31 days	93,372/-
6	AS-01-EC-0599	Crane	01-01-24	31-03-24	91 days	2,74,092/-
7	AS-01-EC-0599	CRANE	01-04-24	30-06-24	91 days	2,90,472/-

8	AS-01-T-9693	WATER TANKER	01-12-23	31-12-23	31 days	63,296/-
9	AS-01-T-9693	WATER TANKER	01-01-24	31-03-24	91 days	1,85,804/-
10	AS-01-T-9693	WATER TANKER	01-04-24	31-07-24	122 days	2,71,060/-
11	AS-01-T-9693	WATER TANKER	01-08-24	31-03-25	243 days	5,39,897/-
Total Rs. =						28,32,209/-

The Petitioner mentioned in the writ petition that total bill amount Rs.27,66,509/- but as per office records it is found that total amount payable to petitioner Rupees 28,32,209/- (Total twenty eight lakhs thirty two thousand two hundred nine rupees) only not Rs.27,66,509/-.

5. *In respect of paragraph No.5 deponent begs to state that proposal of total bill amount Rs.28,32,209/- (Total twenty eight lakhs thirty two thousand two hundred nine rupees) only have already submitted to APHQs vide this office Memo No.KMP/MT/Hire-Veh/2026/727 dated 28-01-2026 for sanctioning fund but no fund has been received from APHQ to pay the petitioner. Once the funds are made available, the same shall be paid to the petitioner without any delay."*

7. Taking into account the above, it therefore appears that the Petitioner is entitled to Rs.28,32,209/-.

8. Accordingly, the instant writ petition stands disposed of with the following observations and directions:

- (i) The Respondent Authorities are directed pay the Petitioner the admitted amount of Rs.28,32,209/- or such amount after statutory deductions.
- (ii) The said exercise be completed within a period of 6 (six) months from the date a certified copy of the instant judgment is served upon the Respondent No.3 i.e. the Director General of Police, Guwahati.
- (iii) Any amount paid during the pendency of the present proceedings would be set off at the time of disbursal of the amounts to the Petitioner.

JUDGE

Comparing Assistant