

GAHC010250582025



2026:GAU-AS:6213

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

Case No. : WP(C)/6552/2025

MD LUTFUR RAHMAN
SON OF LATE JABBAR ALI
RESIDENT OF VILL- SANIADI, HAJO, P.O. SANIADI, P.S. HAJO,
DIST. 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. KAKOTY ROAD
ULUBARI
GUWAHATI- 7

5:THE DISTRICT MAGISTRATE-CUM-DEPUTY COMMISISONER

KAMRUP
AMINGAON
(LAW AND ORDER)
DIST. KAMRUP
ASSAM

6:THE SUPERINTENDENT OF POLICE

KAMRUP
AMINGAON
ASSAM

7:THE MOTOR TANSPORT OFFICER

KAMRUP
ASSA

BEFORE

HONOURABLE MR. JUSTICE DEVASHIS BARUAH

For the Petitioner(s) : Mr. J. I. Borbhuiya, Advocate

For the Respondent(s) : Mr. K. Gogoi,
Addl. Sr. Govt. Advocate

Date on which judgment is reserved : NA

Date of pronouncement of judgment : 06.05.2026

Whether the pronouncement is of the
Operative part of the judgment? : NA

Whether the full judgment has been
Pronounced? : Yes

JUDGMENT AND ORDER (ORAL)

Heard Mr. J. I. Borbhuiya, the learned counsel appearing on behalf of the Petitioner and Mr. K. Gogoi, the learned counsel appearing on behalf of the State Respondents.

2. The case of the Petitioner herein is that the Petitioner is a registered owner of vehicles bearing registration No.AS-25-BC-3934 (Bolero), AS-25-G-7213 (Bolero), and AS-25-CC-5036 (Bolero) respectively which were hired by the Respondents on different dates in the year 2023-2025 for the purpose of maintaining law and order situation in Kamrup District and also released on different dates after utilizing the same for different periods. The Petitioner submitted his bills after release of his vehicles amounting to Rs.22,39,855/-. However, the said amount has not been disbursed to the Petitioner till date.

3. The learned counsel appearing on behalf of the Petitioner submitted that the Petitioner has been pursuing the matter diligently with the Respondents, but the Respondent Authorities have not shown any interest in making the payment of the admitted amount of Rs.22,39,855/- due to the Petitioner for which the Petitioner is facing hardship. The learned counsel for the Petitioner further submitted that the Respondent Authorities have failed to discharge their duty in accordance with law and the same has caused prejudice to the Petitioner. Hence, the Petitioner has

approached this Court by filing the instant writ petition.

4. Mr. K. Gogoi, the learned counsel appearing on behalf of the Respondents has placed before this Court an affidavit-in-opposition filed by the respondent No.6. From a perusal of the said affidavit-in-opposition, it is seen that the Respondent Authorities have admitted their liability of an amount of Rs.22,39,855/-. The details can be seen in paragraph Nos.4 & 5 of the said affidavit-in-opposition which being relevant is reproduced herein under:-

"4. That with regard to the statements made in paragraph-4 of the writ petition, the deponent begs to state 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	Type of vehicle	From	To	Total No. days	Amount payable (Rs)
1	AS-25-BC-3934	Bolero	01-08-23	31-03-24	244	4,98,199
2	AS-25-BC-3934	Bolero	01-04-24	31-07-24	122	2,49,100
3	AS-25-G-7213	Bolero	01-08-23	31-03-24	244	4,98,199
4	AS-25-CC-5036	Bolero	01-12-23	31-12-23	31	63,296
5	AS-25-CC-5036	Bolero	01-01-24	31-03-24	91	1,85,804

6	AS-25-CC-5036	Bolero	01-04-24	31-07-24	122	2,49,100
7	AS-25-CC-5036	Bolero	01-08-24	31-03-25	243	4,96,157
				Total		22,39,855

The Deponent begs to state that the total bill amount of the Petitioner is Rs.22,39,855/- (Twenty two lakhs thirty nine thousand eight hundred fifty five rupees) only.

5. That with regards to the statements made in paragraph No. 5 of the writ petition, the deponent begs to state that the proposal of total bill amount Rs.22,39,855/- (Rupees Twenty Two Lakhs Thirty Nine Thousand Eight Hundred Fifty Five) only has been already submitted to Assam Police Headquarter vide office Memo No. KMP/MT/Hire-Veh/2026/729 dated 28-01-2026 for sanctioning fund, however no fund has been received from Assam Police Headquarter to pay the petitioner. The Deponent further begs to state that as soon as funds are received, the bill amount shall be paid to the petitioner without doing any delay.

*A copy of the letter dated 28.01.2026 is annexed herewith and marked as **ANNEXURE-A.***

5. Upon perusal of the materials on record, and more particularly the paragraphs quoted above, it would be seen that the Respondents therefore admit that the petitioner is entitled to the amount of Rs.22,39,855/-. Accordingly, the writ petition is disposed

of with the following observations and directions:-

- i) The petitioner is entitled to the amount of Rs.22,39,855/- as admitted by the Respondents.
- ii) The said amount of Rs.22,39,855/- be paid to the petitioner within a period of 6 (six) months from the date, a certified copy of the instant order is served upon the respondent No.3, i.e. the Director General of Police, Assam, Ulubari, Guwahati.

JUDGE

Comparing Assistant