

GAHC010266462025



2026:GAU-AS:3515

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

Case No. : WP(C)/6987/2025

BALCHAND SINGH
R.O -KHARIKHANA, P.O- KHARIKHANA, P.O - LANKA, DIST- HOJAI,
ASSAM, PIN- 782446

VERSUS

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

2:THE PRINCIPAL SECRETARY TO THE GOVT OF ASSAM
ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6.

3:THE DIRECTOR GENERAL OF POLICE
ASSAM
B.K. KAKATY ROAD
ULUBARI
GUWAHATI-781007.

4:THE ASSISTANT INSPECTOR GENEAL OF POLICE
ASSAM
B.K. KAKATY ROAD
ULUBARI
GUWAHATI-781007.

5:THE DISTRICT MAGISTRATE CUM DEPUTY COMMISSIONER
HAMREN
DISTRICT-WEST KARBI ANGLONG
ASSAM. PIN-782486

6:THE SUPERINTENDENT OF POLICE
HAMREN
DISTRICT- WEST KARBIANGLONG
ASSAM. PIN-782486HOJAI
DISTRICT- HOJAI
ASSAM.PIN-782442

7:THE MOTOR TRANSPORT OFFICER
POLICE RESERVE
HAMREN
DISTRICT- WEST KARBIANGLONG
ASSAM. PIN-78248

B E F O R E

HON'BLE MR. JUSTICE DEVASHIS BARUAH

Advocates for the petitioner(s) : Mr. SK Singh

Advocates for the respondent(s) : Mr. K Gogoi
Addl. Senior Govt. Advocate

Date on which Judgment is reserved : NA

Date of Pronouncement of Judgment : **09.03.2026**

Whether the Pronouncement is of the : NA

Operative Part of the Judgment

Whether the Full Judgment has been : Yes
Pronounced

JUDGMENT & ORDER (ORAL)

Heard Mr. SK Singh, the learned counsel appearing on behalf of the petitioner. I have also heard Mr. K Gogoi, the learned Addl. Senior

Govt. Advocate, Assam who appears on behalf of the respondents.

2. It is the case of the petitioner that the petitioner is the registered owner of a vehicle bearing Registration No. AS-09G1958 [Bolero (Power)], which was taken on hire by the respondent No. 5 for its official use, with an assurance that payment for such hire would be made. The said vehicle was used for various periods w.e.f. 01.01.2021 to 31.08.2023, and the petitioner accordingly submitted bills for the said periods, amounting to Rs.13,80,106/-, which were duly acknowledged by the respondent authorities. Thereafter, the petitioner personally approached the authorities on different dates and also submitted representations on 21.05.2025 and 30.06.2025. However, no steps have been taken on the representations so submitted and the outstanding dues has not been paid to the petitioner till date and it is under such circumstances, the petitioner has approached this Court.

3. The learned counsel for the petitioner further submitted that the aforesaid amount has been duly acknowledged by the respondent authorities, however, despite such acknowledgement, the outstanding dues have not been released to the petitioner till date. In addition to that, the learned counsel for the petitioner submitted that the petitioner had submitted various representations to the Respondent Authorities for release of the outstanding dues, however, an amount

of Rs.13,80,106/-, is still pending.

4. The learned counsel appearing on behalf of the petitioner submitted that the petitioner has been pursuing the matter delinquently with the respondents, but the respondent authorities have not shown any interest in making the payment of the outstanding dues 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 being aggrieved has approached this Court by filing the instant writ petition.

5. Mr. K Gogoi, the learned Additional Senior Government Advocate submits that an affidavit-in-opposition has been filed by the respondent No.5.

6. From a perusal of the said affidavit-in-opposition, and more particularly, the paragraph No.6, it is seen that the respondent authorities have admitted their liability of an amount of Rs.10,35,650/-, which is pending due, *inasmuch as*, an amount of Rs.3,44,456/- have already been paid. Paragraph 6 of the said affidavit-in-opposition being relevant is reproduced herein under:-

“6. That with regard to the statements made in paragraph 4 of the writ petition the

deponent begs to state that the vehicle was engaged exclusively for Law-and-Order duties pursuant to monthly hiring orders issued from time to time by the District Magistrate on an 'as and when required' basis. Payments for the periods from 01-01-2021 to 31-01-2021, 01-02-2021 to 28-02-2021, 01-03-2021 to 30-04-2021, 01-05-2021 to 31-05-2021, 01-06-2021 to 30-06-2021, and 01-08-2021 to 31-08-2021 have been duly made in accordance with the Government-prescribed daily hiring rates. A total sum of Rs.3,44,456/- (Rupees Three Lakh Forty-Four Thousand Four Hundred and Fifty-Six) only has been paid to the petitioner, as substantiated by Annexure-I, Annexure-II, and Annexure-III.

However, the dues for the remaining period from 01-07-2021 to 31-07-2021 and from 01-09-2021 to 31-07-2023, amounting to Rs.10,35,650/- (Rupees Ten Lakh Thirty-Five Thousand Six Hundred and Fifty Only), are outstanding and shall be cleared after the release of the requisite funds by the Government of Assam."

7. Upon perusal of the materials on record, and more particularly the paragraph quoted-above, it would be seen that the respondents, therefore, admit that the petitioner is entitled to the amount of Rs.10,35,650/-. Accordingly, the writ petition is disposed of with the following observations and directions:-

i) The petitioner is entitled to the amount of Rs.10,35,650/-, as admitted by the respondents.

ii) The said amount of Rs.10,35,650/-, 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