

WP(C) 5877/2015

BEFORE

THE HON'BLE MR. JUSTICE MANOJIT BHUYAN

Heard Mr. S.U. Ahmed, learned counsel for the petitioner as well as Ms. B. Dutta, learned senior counsel for the State Respondents.

The petitioner claims to be the owner of vehicles bearing Registration Nos. AS-01-DC-2928 and AS-01-CC-9128 which were taken on hire by the respondent authorities for the period from 01.09.2011 to 30.06.2015 and 01.11.2013 to 30.06.2015 respectively. Save and except enclosing the bills submitted to the respondent authorities towards payment of hire charge, no other document has been enclosed showing any order passed by the respondent authorities towards requisition of the vehicles in question. Without the said orders, the Court is not in a position to ascertain whether the vehicles in question had been utilised for the purpose indicated in the writ petition.

Be that as it may, this writ petition stands disposed of with a direction to the State Respondents to examine the case of the petitioner by ensuring as to whether there are any orders in support of the bills raised. Entitlement to hire charge of the vehicles in question shall only be considered subject to Requisition Orders issued by the competent authorities. In the event the respondent authorities are absolutely satisfied that Requisition Orders had been issued, in that case steps would be taken towards payment of hire charge to the petitioner. The entire exercise, either for rejection of the claim or for payment of the same, shall be completed by the respondent authorities within a period of 4(four) months from the date of receipt of the copy of this order. It is also made clear that if it is found that the petitioner is entitled to any hire charge amount, payment thereof shall be made only upon approval of the Respondent No. 3 i.e. the Director General of Police, Guwahati.

In view of the above, this writ petition stands disposed of.