

GAHC010003462021



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

**Case No. : Review.Pet./27/2021**

MONOWARA KHATUN  
W/O SAMSUL HOQUE, VILL. JHARPARA PART-II, P.S. ABHAYAPURI, DIST.  
BONGAIGAON, ASSAM.

VERSUS

THE UNION OF INDIA AND 5 ORS  
REPRESENTED BY THE SECY. TO THE GOVT. OF INDIA, MINISTRY OF  
HOME AFFAIRS, SHASTRI BAHWAN, NEW DELHI.

2:THE STATE OF ASSAM  
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF  
ASSAM  
HOME DEPTT.  
DISPUR  
GUWAHATI 6

3:THE DEPUTY COMMISSIONER  
BONGAIGAON  
P.O. AND DIST. BONGAIGAON  
ASSAM  
PIN 783380

4:THE SUPERINTENDENT OF POLICE (B)  
BONGAIGAON  
P.O. AND DIST. BONGAIGAON  
ASSAM  
PIN 783380

5:THE ELECTION COMMISSION OF INDIA  
NEW DELHI-1

6:THE STATE COORDINATOR  
NATIONAL REGISTER OF CITIZENS (NRC)  
ASSAM

**Advocate for the Petitioner** : MS. R CHOUDHURY

**Advocate for the Respondent** : ASSTT.S.G.I.

**BEFORE**  
**HON'BLE MR. JUSTICE N. KOTISWAR SINGH**  
**HON'BLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**28.04.2022**

***[N. Kotiswar Singh, J.]***

Heard Ms. R. Choudhury, learned counsel for the review petitioner. Also heard Ms. L. Devi, learned counsel appearing on behalf of Mr. R.K. Dev Choudhury, learned Asstt. Solicitor General of India, for respondent No.1 as well as appearing as standing counsel, NRC, for respondent No.6; Mr. G. Sarma, learned special counsel, FT, appearing for respondent Nos.2 and 4; Mr. A. Bhuyan, learned standing counsel, ECI, appearing for respondent No.5 and Ms. U. Das, learned Additional Senior Government Advocate, Assam, appearing for respondent No.3.

Issue notice, returnable within 4(four) weeks.

No formal steps are called for in respect of respondents, as they are duly represented. However, extra copies of the petition be furnished to the learned counsel appearing for the respondents.

Meanwhile, Registry will call for the records of BNGN/FT-2/APR/CASE NO.713/2016

from the Foreigners' Tribunal, Bongaigaon No.2, Abhayapuri, Assam.

Learned counsel for the petitioner submits that the review petitioner has not yet been detained on the strength of the order dated 26.02.2019 passed in BNGN/FT-2/APR/CASE NO.713/2016 by the learned Member, Foreigners' Tribunal, Bongaigaon No.2, Abhayapuri, Assam.

In that view of the matter, in the meantime, the review petitioner, if not already arrested, may not be arrested and deported from India. However, the review petitioner shall appear before the Superintendent of Police (Border), Bongaigaon within 15(fifteen) days from today, who may obtain necessary information and documentation as required under the rules from the review petitioner for securing her presence. On such appearance, the review petitioner shall furnish a bail bond of ₹ 5,000/- (Rupees five thousand) with one local surety of the like amount to the satisfaction of the said authority, whereafter, the review petitioner shall be allowed to remain on bail. The concerned Superintendent of Police (Border) shall also take steps for capturing the fingerprints and biometrics of the iris of the review petitioner, if so advised. The review petitioner also shall not leave the jurisdiction of Bongaigaon district without furnishing the details of the place of destination and necessary information including contact number to the Superintendent of Police (Border), Bongaigaon.

**Sd/- Soumitra Saikia**  
**JUDGE**

**Sd/- N. Kotiswar Singh**  
**JUDGE**

**Comparing Assistant**