

GAHC010009762026



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

Case No. : WP(C)/662/2026

RAHIMA BEGUM ALIAS RAHIMA KHATUN
W/O MOMTAJ ALI, D/O RUSTA, ALI
R/O VILLAGE - VALOWATER,
P.O. - BARJULI, P.S. RANGAPARA,
DISTRICT - SONITPUR, ASSAM

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE SECRETARY, MINISTRY OF HOME AFFAIRS, NEW
DELHI-01.

2:THE STATE OF ASSAM REPRESENTED BY THE SECRETARY TO THE
GOVERNMENT OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI - 06.

3:THE ELECTION COMMISSIONER OF INDIA
THROUGH ITS SECRETARY
NIRBACHAN BHAWAN
NEW DELHI - 1

4:THE STATE CO-ORDINATOR
NATIONAL REGISTER OF CITIZENS(NRC)
ASSAM
BHANGAGARH
GUWAHATI -5.

5:THE DISTRICT COMMISSIONER
SONITPUR
TEZPUR

ASSAM

6:THE SUPERINTENDENT OF POLICE(B)
SONITPUR
TEZPUR
ASSA

Advocate for the Petitioner : MR H A AHMED, N PERVIN,MR. MUSTAFA HUSSAIN,MR. R ALI

Advocate for the Respondent : DY.S.G.I., SC, ECI,SC, F.T,SC, NRC,GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

16.02.2026

(K.R. Surana, J)

Heard Mr. R. Ali, learned counsel for the petitioner. Also heard Mr. H.K. Gupta, learned CGC; Mr. S. Katakya, learned standing counsel for the ECI; Mr. G. Sharma, learned standing counsel for the FT matters and NRC; and Mr. P. Sarma, learned Additional Sr. Govt. Advocate for respondents.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 07.11.2022, passed by the learned Member, Foreigners Tribunal 7th, Tezpur at Balipara in Case No.FT(IMDT) 458/16 arising out of [Ref. No.TZP.(B)/5747/2004], thereby declaring the petitioner to be a foreigner of post 25.03.1971 stream.

3. In view of the delay in assailing the impugned opinion, keeping the issue of maintainability open, issue notice returnable on 16.03.2026.

4. Let the relevant records be called for from the concerned Foreigners Tribunal thorough e-mail at the following e-mail address of the learned

Tribunal:-

alinsarma10@gmail.com

5. Requisite extra copies of the writ petition be furnished to the learned CGC, State departmental counsel for the respondents within 2 (two) working days.
6. Prayer for bail shall be considered on receipt of records.
7. In the meantime, if the petitioner, namely, Musstt. Rahima Begum @ Rahima Khatun, is apprehended she shall not be deported out of the Country without the order of the Court. However, the petitioner shall cause production of certified copy of the order to the Superintendent of Police (Border), Sonitpur, Tezpur to bring the order to the notice of the said authority.
8. List the matter again on 16.03.2026.

JUDGE

JUDGE

Comparing Assistant