

GAHC010012422026



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

Case No. : WP(C)/780/2026

MUSTT AHILA KHATOON
W/O- ABDUL ALEES. D/O- FULURUDDIN ALIAS FULARUDDIN. VILL-
KATORATI ALIAS PUB KATORATI. P.O.- TEWARIPAL. P.S.- SOOTEA. DIST.-
SONITPUR, NOW BISWANATH. PIN-784176.

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA,
DEPARTMENT OF HOME, NEW DELHI- 1

2:THE STATE OF ASSAM
REPRESENTED BY THE SECRETARY TO THE GOVT OF ASSAM
DEPARTMENT OF HOME
DISPUR
GUWAHATI- 6

3:THE DISTRICT COMMISSIONER
BISWANATH CHARIALI. PIN-784176.

4:THE SUPERINTENDENT OF POLICE (BORDER)
BISWANATH CHARIALI. PIN-784176.

5:THE ELECTION COMMISSIONER
GOVT. OF INDIA
NEW DELHI- 1.

6:THE STATE CO ORDINATOR OF NATIONAL REGISTRATION (NRC)

ASSAM
GUWAHATI - 3

Advocate for the Petitioner : MS. T BEGUM, MR. A ROSHID

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

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

ORDER

13.02.2026

(K.R. Surana, J)

Heard Mr. A. Roshid, learned counsel for the petitioners. Also heard Mr. P.S. Lahkar, learned CGC; Mr. G. Sarma, learned standing counsel for the FT matters and NRC; Mr. M. Islam, learned counsel appearing on behalf of Mr. A. I. Ali, learned standing counsel for the ECI; and Mr. H.K. Hazarika, learned Junior Govt. Advocate for the State respondent.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 20.08.2025, passed by the learned Member, Foreigners Tribunal No.1, Biswanath Chariali, Biswanath, Assam in BNC/FT/437/2016 arising out of S.P.(B) Sonitpur, FT Case No.126/2015 declaring the petitioner to be a foreigner of post 25.03.1971 stream.

3. Issue notice returnable in 04(four) weeks.

4. Requisite extra copies of the writ petition be furnished to the learned counsel for the respondents within 2 (two) working days.

5. Let the relevant records be called for from the concerned Foreigners

Tribunal at the following email address:

fttezpur5th@gmail.com

6. The prayer for bail is opposed by the learned standing counsel for the FT matters. However, in view of the projection made in this writ petition, the Court is inclined to grant bail to the petitioner, namely, Mustt. Ahila Khatoon by providing that if she has not already been detained in custody, she shall not be taken into custody and deported from the territory of India, on condition that she shall appear before the Superintendent of Police (Border), Sonitpur, Tezpur within 10 (ten) days from today during the office hours and shall furnish a bail bond of Rs. 5,000/- (Rupees five thousand only) with one solvent surety of the like amount to the satisfaction of the said authority. Further, the Superintendent of Police (Border), Sonitpur, Tezpur, is directed that on appearance of the petitioner within the period indicated above, the biometrics of the iris of both eyes, the fingerprints of both hands and the photographs of the petitioner shall be obtained, whereafter, she shall be allowed to remain on bail.

7. On her appearance before the Superintendent of Police (Border), Sonitpur, Tezpur, as directed above, the said authority shall obtain necessary information and documentation as required under the Rules from the petitioner for securing her presence.

8. On failure of the petitioner to appear before the Superintendent of Police (Border), Sonitpur, Tezpur, the bail to the petitioner would stand lapsed.

9. List the matter after 4 (four) weeks and/or on receipt of the Tribunal records.

JUDGE

JUDGE

Comparing Assistant