

GAHC010018042026



undefined

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

Case No. : WP(C)/1084/2026

HAZARA BIBI @ MOCHA HAJERA BIBI
D/O- LATE JOYAN ALI SHEIKH @ JOYEN ALI SHEIKH @ JOYAN ALI, W/O-
MAKRAM ALI, R/O VILLAGE TANGVITA (KATLAMARI PART-IV),P.O.
MAJHERCHAR, P.S. FAKIRGANJ, DIST DHUBRI, ASSAM, PIN 783325

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS, NEW DELHI-110001.

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

3:THE DISTRICT COMMISSIONER
DHUBRI
DIST DHUBRI
ASSAM
PIN 783301

4:THE SUPERINTENDENT OF POLICE (BORDER)
DHUBRI
P.O. AND DIST-DHUBRI
ASSAM
PIN 783301.

5:THE ELECTION COMMISSIONER OF INDIA
NEW DELHI.1

6:THE ASSAM STATE CO-ORDINATOR OF NRC
HOUSEFED COMPLEX
GUWAHATI-

Advocate for the Petitioner : MD. S ALOM, MR. M S ALAM,MS. A BEGUM

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

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

ORDER

02.03.2026

(K.R. Surana, J)

Heard Md. S. Alom, learned counsel for the petitioner as well as Mr. G. Sarma, learned standing counsel for the Foreigners Tribunal and NRC, Ms. S. Katakey, learned standing counsel for the Election Commission of India, Mr. S. Kakati, learned CGC, and Mr. P. Sarmah, learned Addl. Senior Govt. Advocate.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 12.12.2024, passed by the learned Member, Foreigners' Tribunal (2nd), Dhubri in Case No. F.T. Case No.1163/F/16 corresponding to Police Ref. IMDT Case No.888/98, by which the petitioner was declared as an illegal migrant of post 25.03.1971 stream.

3. Issue notice returnable on 01.04.2026.

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 by usual process as well as by email at the following email address:

alokeshnrbaruah@gmail.com

6. The prayer for bail shall be considered on receipt of the records from the learned Tribunal.
7. In the meantime, if the petitioner, namely, Hazara Bibi @ Mocha Hajera Bibi is apprehended, she shall not be deported out of the Country without order of the Court.
8. The petitioner shall cause production of a certified copy of this order before the Superintendent of Police (Border), Dhubri to bring the order to the notice of the said authority.
9. List the matter on 01.04.2026.

JUDGE

JUDGE

Comparing Assistant