

GAHC010022632026



undefined

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

**Case No. : WP(C)/1393/2026**

SAHED ALI  
S/O LATE ABDUL JUBBAR ,R/O VILL.- NO.2 KOPATI GRANT, P/S-  
DALGAON, DIST.- DARANG, ASSAM.

VERSUS

THE UNION OF INDIA AND OTHERS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF INDIA, HOME AFFAIRS DEPARTMENT, NEW DELHI-01.

2:THE STATE OF ASSAM  
REPRESENTED BY THE COMMISSIONER AND SECRETARY  
TO THE GOVT. OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI 06.

3:THE ELECTION COMMISSION OF INDIA

NEW DELHI-01  
INDIA.

4:THE STATE CO ORDINATOR  
NRC  
ASSAM  
BHANGAGARH  
GUWAHATI 05

5:THE DISTRICT COMMISSIONER  
DARRANG  
MONGALDAI  
DIST.- DARRANG

ASSAM. PIN- 784115

6:THE SUPERINTENDENT OF POLICE(B)

DARRANG  
DISTRICT- DARRANG  
ASSAM. PIN- 78411

**Advocate for the Petitioner** : MS K TAYE, MS. M KHATUN,MR A ALI

**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**

**18.03.2026**

(K.R. Surana, J)

Heard Mr. A. Ali, learned counsel for the petitioner. Also heard Mr. B. Deka, learned CGC; Mr. Meghna Singha, learned counsel on behalf of Ms. S. Katakey, learned Standing Counsel for the ECI; Mr. G. Sharma, learned standing counsel for the FT matters and NRC; and Mr. P. Sarmah, 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 01.12.2022, passed by the learned Member, Foreigners Tribunal (5<sup>th</sup>), Darrang, Mangaldai, Assam, in F.T. (V) Case No. 2466/2016, arising out of S.P. enquiry No.116/2006, 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 27.04.2026.

4. Let the relevant records be called for from the concerned Foreigners Tribunal by e-mail at the following e-mail address of the learned Tribunal:-  
advdeepak66@gmail.com
5. Requisite extra copies of the writ petition be furnished to the learned 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, Sahed Ali, is apprehended he shall not be deported out of the Country without the order of the Court.
8. The petitioner shall cause production of certified copy of the order to the Superintendent of Police (Border), Darrang, Mangaldai to bring the order to the notice of the said authority.
9. List on 27.04.2026.

**JUDGE**

**JUDGE**

**Comparing Assistant**