

GAHC010023622026



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

Case No. : WP(C)/846/2026

NURJAHAN BEGUM @ NURJAHAN KHATUN
D/O- LT. CHENGU BHUYAN @ CHINGU BHUYAN. W/O.- HASMAT ALI @
HASMAT MIYA.
VILLAGE- NOWAGAON, P.S.- MANIKPUR, DIST.-BONGAIGAON, ASSAM,
PIN-783392.

VERSUS

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

2:THE ELECTION COMMISSION OF INDIA
REPRESENTED BY THE CHIEF ELECTION COMMISSIONER
INDIA
NEW DELHI. 110001.

3:THE STATE COORDINATOR
ASSAM
NATIONAL REGISTER OF CITIZENS
BHANGAGARH
GHY-5.

4:THE STATE OF ASSAM
REPRESENTED BY THE GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GHY-6.

5:THE SUPERINTENDENT OF POLICE (B)

BONGAIGAON

DIST. - BONGAIGAON
ASSAM
PIN- 783380.

6:THE DISTRICT COMMISSIONER
BONGAIGAON
DIST.- BONGAIGAON
ASSAM.PIN-783380

Advocate for the Petitioner : MD. A HUSSAIN, MR. T ISLAM,MR. K ALOM

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

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

ORDER

18.02.2026

(K.R. Surana, J)

Heard Mr. A. Hussain, learned counsel for the petitioner. Also heard Ms. A. Gayan, learned CGC; Mr. G. Sarma, learned standing counsel for the FT matters and NRC; Ms. M. Singha, learned counsel on behalf of Ms. S. Katakey, learned standing counsel for the ECI; and Mr. P. Sarmah, learned Additional Senior 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 14.10.2025, passed by the learned Member, Foreigners' Tribunal No.1, Bongaigaon, in BNGN/F.T. Case No. /3360/2009, arising out of BNGN/IM(D)T Case No. 713/2004, declaring the petitioner to be a foreigner of Post 25.03.1971 stream.

3. Issue notice returnable within 4 (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 through usual process as well as through the following email address:

A) ft1bngn@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, Nurjahan Begum @Nurjahan Khatun, 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), Bongaigaon 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), Bongaigaon 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), Bongaigaon, 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), Bongaigaon, 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