

GAHC010026182026



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

**Case No. : WP(C)/845/2026**

KUBBAS ALI ALIAS KOBBAS ALI  
, S/O - LT. ABDUL JUBBAR SKALIAS ABDUL SK ALIAS JUBBAR ALI, R/O.  
VILL- DAUKIJHAR, P.S. - BONGAIGAON, PIN -783380, DIST.- BONGAIGAON,  
ASSAM.

VERSUS

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

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  
NIRVACHAN SADAN  
ASHOK ROAD  
NEW DELHI  
PIN- 110001.

4:THE STATE COORDINATOR  
NATIONAL REGISTRATION OF CITIZEN  
ASSAM  
BHANGAGARH  
GUWAHATI- 05.

5:THE DISTRICT COMMISSIONER  
BONGAIGAON

ASSAM  
PIN - 783380.

6:THE SUPERINTENDENT OF POLICE (B)

BONGAIGAON  
ASSAM  
PIN 783380.

7:THE OFFICER IN CHARGE  
BONGAIGAON POLICE STATION  
DISTRICTBONGAIGAON  
ASSAM  
PIN - 783380

**Advocate for the Petitioner** : MR. M I HUSSAIN, MS. P AHMED,R KHA

**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**

**Date : 16.02.2026**  
(K.R. Surana, J)

Heard Mr. M.I. Hussain, learned counsel for the petitioner. Also heard Mr. H.K. Gupta, learned CGC; Mr. G. Sarma, learned standing counsel for the FT matters and NRC; Ms. S. Katakey, learned standing counsel for the ECI; and Mr. H.K. Hazarika, learned Additional Senior Govt. Advocate for the State.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 17.03.2023, passed by the learned Member, Foreigners' Tribunal No.1, Bongaigaon, in Case No. BNGN/FT/127/2010, reference P.E. case No. 62/2010 thereby declaring the petitioner to be a foreigner of post 1971 stream.

3. Issue notice returnable on 16.03.2026.
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 at the following email address:  
  
ft1bnngn@gmail.com
6. Prayer for bail shall be considered after receipt of the Tribunal records.
7. In the meantime, if the petitioner namely, Kubbas Ali @ Kobbas Ali, is apprehended, he 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), Bongaigaon.
9. List on 16.03.2026.

**JUDGE**

**JUDGE**

**Comparing Assistant**