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

Case No. : WP(C)/1058/2026

MUSTT SAHERA KHATUN
D/O LATE ABDUL KADIR, W/O AJGAR ALI,
RESIDENT OF VILLAGE CHITALMARIBIL, MOUZA JURIA, PS JURIA, PO
JURIA, DIST NAGAON, ASSAM

VERSUS

THE UNION OF INDIA
REP/. BY THE SECRETARY TO THE GOVT OF INDIA, MINISTRY OF HOME
AFFAIRS, NEW DELHI 110001.

2:THE STATE OF ASSAM
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM HOME
AND POLITICAL (B) DEPT. DISPUR GUWAHATI 781006

3:THE DISTRICT COMMISSIONER

NAGAON
ASSAM
782001

4:THE SUPERINTENDENT OF POLICE (B)
NAGAON
ASSAM
782001

5:THE STATE CO ORDINATOR
NATIONAL REGISTRATION (NRC) ASSAM
HOUSEFED COMPLEX
GUWAHATI 781006

6:THE ELECTION COMMISSIONER OF INDIA

NEW DELHI 110001

Advocate for the Petitioner : MR. A MOBARAQUE, MR S BHUYAN

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

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

ORDER

25.02.2026

(K.R. Surana, J)

Heard Mr. A. Mobaraque, learned counsel for the petitioner as well as Mr. G. Sarma, learned standing counsel for the Foreigners Tribunal, Ms. S. Katakey, learned standing counsel for the Election Commission of India, Mr. U.K. Goswami, learned CGC and Mr. H.K. Hazarika, learned Junior Govt. Advocate.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 13.06.2024, passed by the learned Member, Foreigners Tribunal, 4th, Nagaon, in F.T. Case No.187/2016, corresponding to Police Reference F.T. Case No.125/16, by which the petitioner was declared as an illegal migrant of post 25.03.1971 stream.

3. Issue notice returnable on 27.03.2026.

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

(i) bipulkumarnath999 @gmail.com

(ii) ft4thnagaon@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, Mustt. Sahera Khatun 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), Nagaon to bring it to the notice of the said authority.
9. List the matter on 27.03.2026.

JUDGE

JUDGE

Comparing Assistant