

GAHC010034072026



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

Case No. : WP(C)/981/2026

MINARA KHATUN @ MUSSAMT MINARA KHATUN @ MUSSTT. MINARA
KHATOON @ MISS MINARA KHATUN
W/O MUSABBIR ALI @ MUSSABBIR ALI, D/O LATE SUKUR ALI @ SUKUR
ALI @ MD. SUKUR ALI @ SUKUR @ SUKUR MAMUD, P/R/O VILL- UTTAR
KHATUAL, P.S- RUPAHIHAT, DIST- NAGAON, ASSAM

VERSUS

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

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

3:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI- 781006

4:THE DISTRICT COMMISSIONER
NAGAON
PIN- 782001

5:THE SUPERINTENDENT OF POLICE (B)
NAGAON
PIN- 782001

6:COORDINATOR

NATIONAL REGISTER OF CITIZENS
BHANGAGARH
GUWAHATI-

Advocate for the Petitioner : MR A W AMAN, S T AMAN,MD A RAHMAN,MR SARFRAZ
NAWAZ

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

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

ORDER

23.02.2026

(K.R. Surana, J)

Heard Md. A. Rahman, learned counsel for the petitioner. Also heard Ms. B. Sarma, learned CGC; Mr. A.I. Ali, 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 08.10.2025, passed by the learned Member, Foreigners Tribunal (3rd), Nagaon, Assam, in F.T. Case No. 2/2019 [corresponding to F.T Case No.14/18], thereby declaring the petitioner to be a foreigner of post 25.03.1971 stream.

3. Issue notice returnable in 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 by e-mail at the following e-mail address of the learned Tribunal:-

advgeetadeka@gmail.com

6. The prayer for bail is opposed by the learned standing counsel for the FT matters. Considering the projection made in this writ petition, the Court is inclined to grant bail to the petitioner, namely, Minara Khatun @ Mussamt Minara Khatun @ Musstt. Minara Khatoon @ Miss Minara Khatun, by providing that if she has not already been detained in custody, she shall not be taken into custody and/ or deported from the territory of India, on condition that she shall appear before the Superintendent of Police (Border), Nagaon, Assam 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), Nagaon, Assam 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), Nagaon, Assam, 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), Nagaon, Assam, the bail to the petitioner would stand lapsed.

9. List the matter after 4 (four) weeks on receipt of records.

JUDGE

JUDGE

Comparing Assistant