

GAHC010041532019



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

Case No. : WP(C) 1366/2019

1:HABIBUR RAHMAN
D/O. LATE MAZID ALI @ ABDUL MAZID @ ABDUL MAZID ALI, VILLAGE-
SONTOSHPUR PART-II, P.S. MERERCHAR, DIST.- BONGAIGAON, ASSAM
PIN 783384.

VERSUS

1:THE UNION OF INDIA AND 6 ORS.
REP. BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HOME
AFFAIRS, NEW DELHI-110001.

2:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GHY-6.

3:THE DEPUTY COMMISSIONER
BONGAIGAON
PIN- 783380.

4:THE ELECTION COMMISSION OF INDIA
NEW DELHI-110001.

5:THE STATE COORDINATOR
NATIONAL REGISTER OF CITIZENS
ASSAM
GUWAHATI- 781005.

6:THE SUPERINTENDENT OF POLICE (B)
BONGAIGAON
DIST.- BONGAIGAON
PIN-783385.

7:THE OFFICER-IN-CHARGE
MERERCHAR POLICE STATION
DIST.- BONGAIGAON
PIN- 783384

Advocate for the Petitioner : MR H R A CHOUDHURY

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

O R D E R

06.03.2019

(A.M. Bujor Barua, J)

Heard Mr. HRA Choudhury, learned senior counsel for the petitioner, Mr. A Ali, learned counsel for the Election Commission of India, Mr. A. Kalita, learned counsel for the State of Assam appearing for the Foreigners Tribunal and Border Affairs as well as Ms. G Sarma, learned counsel for the authorities under the Union of India.

Issue notice to the respondents except the respondent No.5 returnable in six weeks.

Extra copies of the writ petition be furnished to the respective learned counsel within three days.

Call for the LCRs of Case No.BNGN/FT/77/2011 from the Foreigners Tribunal, Bongaigaon No.2, Abhayapuri.

In the meantime, the petitioner shall neither be detained nor be deported. The petitioner shall submit two separate surety bonds from two prominent persons of his village or a security from an appropriate Government official to the satisfaction of the Superintendent of Police (Border), Bongaigaon to ensure continuous presence of the petitioner as and when required by the authorities, who shall verify the authenticity and acceptability of the sureties.

The petitioner shall produce the complete voters list of 1985 of village Aprupi, which

may contain the name of his mother Ajiran Nessa.

List the matter after six weeks.

JUDGE

JUDGE

Comparing Assistant