

GAHC010044012026



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

Case No. : WP(C)/1397/2026

NUR AHMED ALIAS NUR AHMED MAZUMDER
S/O LATE TAJOMAL ALI, R/O VILL- PANGRAM PT-I, P.O-PANGRAM, P.S-
UDHARBOND, DISTRICT- CACHAR, PIN- 788030, ASSAM

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF HOME AFFIARS, NEW DELHI-1

2:THE ELECTION COMMISSION OF INDIA
NEW DELHI -1

3:THE STATE OF ASSAM
REPRESENTED BY TH ESECRETARY TO THE GOVT OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-6

4:THE STATE CO ORDINATOR OF NRC
BHANGAGARH
ASSAM
GUWAHATI- 05

5:THE DISTRICT COMMISSIONER
CACHAR
ASSAM
PIN- 783380

6:THE SUPERINTENDENT OF POLCE
CACHAR
ASSAM

PIN- 788001

7:THE OFFICER-IN-CHARGE
UDHARBOND POLICE STATION
DISTRICT- CACHAR
ASSAM
PIN- 78803

Advocate for the Petitioner : MR. M U MAHMUD, MR S H MAHMUD,C YANTHAN,V
KHAKHALARY,MS. N BHARADWAJ,S SEKH

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 MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

Date : 09.03.2026

(K.R. Surana, J)

Heard Mr. M.U. Mahmud, learned counsel for the petitioner. Also heard Ms. S. Baruah, learned CGC; Mr. G. Sarma, learned standing counsel for the FT & Border matters; Ms. S. Katakey, learned standing counsel for the ECI; and Mr. P. Sarmah, learned Addl. 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 ex parte opinion dated 07.01.2015, passed by the learned Member, Foreigners' Tribunal 2nd, Silchar, in FT 2nd (D) Case No. 643/2011, corresponding to P.S. UdhARBOND, I.O. Case No. 2834/1998, by which the petitioner was declared as an illegal migrant.

3. The learned counsel for the petitioner has submitted that the said opinion does not disclose as to whether the notice was duly served on the petitioner.

4. Issue notice returnable on 01.04.2026.
5. Requisite extra copies of the writ petition be furnished to the learned counsel for the respondents in course of the day today.
6. Let the relevant records be called for from the concerned Foreigners Tribunal by usual process as well as by email at the following email address:
mft2silchar@gmail.com
7. The prayer for bail shall be considered on receipt of the Tribunal's record.
8. In the meanwhile, if the petitioner, namely, Nur Ahmed @ Nur Ahmed Mazumder is apprehended, he shall not be deported out of the Country without the order of the Court.
9. The petitioner shall cause production of the certified copy of this order before the Superintendent of Police (Border), Cachar to bring the order to the notice of the said authority.
10. List on 01.04.2026.

JUDGE

JUDGE

Comparing Assistant