

GAHC010044402026



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

Case No. : WP(C)/1529/2026

MD. IMAN ALI
S/O NUR HUSSAIN, R/O VILLAGE RAJGARH, P.S- NORTH LAKHIMPUR,
DISTRICT- LAKHIMPUR, ASSAM

VERSUS

UNION OF INDIA AND 5 ORS
TO BE REPRESENTED BY SECRETARY TO THE GOVT. OF INDIA, HOME
DEPARTMENT, NORTH BLOCK, NEW DELHI.

2:STATE OF ASSAM
TO BE REPRESENTED BY COMMISSIONER AND SECRETARY TO THE
GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-06.

3:ADDITIONAL DIRECTOR GENERAL OF POLICE
ASSAM (BORDER)
BHANGAGARH
GUWAHATI-05.

4:DISTRICT COMMISSIONER
LAKHIMPUR
ASSAM.

5:SUPERINTENDENT OF POLICE (BORDER)

LAKHIMPUR
NORTH LAKHIMPUR
ASSAM.

6:STATE COORDINATOR
NRC
ACHYUT PLAZA
GUWAHATI-781005
ASSAM

Advocate for the Petitioner : MR. N H MAZARBHUIYAN, T OSIK, I S MAZARBHUIYAN, MR R I BHUYAN, MS. L WAJEEDA

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

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

ORDER

18.03.2026

(K.R. Surana, J)

Heard Ms. L. Wajeeda, learned counsel for the petitioner. Also heard Mr. B. Deka, learned CGC; Mr. Meghna Singha, learned counsel on behalf of Ms. S. Katakey, 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 10.11.2025, passed by the learned Member, Foreigners Tribunal 1st, Lakhimpur, North Lakhimpur, in Lakhimpur FT(1st) Case No. 1579(D)/2011, arising out of L.V.C No.43(NL), 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:-

ft1st.nl@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, Md. Iman Ali, by providing that if he has not already been detained in custody, he shall not be taken into custody and/ or deported from the territory of India, on condition that he shall appear before the Superintendent of Police (Border), Lakhimpur, North Lakhimpur, 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), Lakhimpur, North Lakhimpur, 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, he shall be allowed to remain on bail.

7. On his appearance before the Superintendent of Police (Border), Lakhimpur, North Lakhimpur, Assam as directed above, the said authority shall obtain necessary information and documentation as required under the Rules from the petitioner for securing his presence.

8. On failure of the petitioner to appear before the Superintendent of Police (Border), Lakhimpur, North Lakhimpur, 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