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

Case No. : WP(C)/1481/2026

SUKUSREE KHATUN @ SUKUREE KHATUN @ SUKURI KHATUN
W/O JAMIR ALI, D/O KUDRAT ALI @ KUJRAT ALI, VILL- GOBARDHANA,
P.S.- BARPETA ROAD, DIST- BARPETA, ASSAM

VERSUS

THE UNION OF INDIA AND 5 ORS.
REPRESENTED BY THE SECRETARY TO THE MINISTRY OF HOME
AFFAIRS, GOVT. OF INDIA, SHASTRI BHAWAN, TILOK MARG, NEW DELHI-
1

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

3:THE ELECTION COMMISSIONER OF INDIA
THROUGH ITS SECRETARY
NIRBACHAN BHAWAN
NEW DELHI-1

4:THE STATE CO-ORDINATOR
NATIONAL REGIOSTER OF CITIZENS (NRC)
ASSAM
BHANGAGARH
GUWAHATI-5

5:THE DISTRICT COMMISSIONER OF BARPETA
DIST- BARPETA
ASSAM

6:THE SUPERINTENDENT OF POLICE (B)
BARPETA
DIST- BARPETA
ASSA

Advocate for the Petitioner : MR. R ALI, MISS. S PARBIN,MR H A AHMED

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

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : --01.06.2026

Heard Mr. R. Ali, learned counsel for the petitioner; Ms. R. Devi, learned Central Government Counsel [CGC] for the respondent no. 1; Ms. A. Verma, learned Standing Counsel, FT, Home & Political Department for the respondent nos. 2 & 6; Ms. S. Katakey, learned Standing Counsel, ECI for the respondent no. 3; Mr. G. Sarmah, learned Standing Counsel, NRC for the respondent no. 4; and Ms. R.B. Bora, learned Government Advocate, Assam for the respondent no. 5.

2. This writ petition under Article 226 of the Constitution is preferred against an Order/Opinion dated 15.09.2025, passed by the learned Member, Foreigners Tribunal no. 2nd, Barpeta in F.T. [2nd] Case no. 241 of 2018 in reference to Police IM[D]T Case no. 9442/1998. By the Order/Opinion dated 15.09.2025, the learned Tribunal has declared the petitioner as a foreigner, who has entered into India [Assam] from the specified territory after 25.03.1971.

3. The statements and averments made in the writ petition as well as the contents of the Order/Opinion are perused.

4. The matter would require consideration.

5. The TCR be called for.
6. Issue notice, returnable on 20.07.2026.
7. As all the respondents are represented, the issuance of formal notice is dispensed with. The learned counsel for the petitioner shall furnish requisite nos. of extra copies of the writ petition along with annexures to Ms. Devi, Ms. Verma, Ms. Katakey, Mr. Sarmah and Ms. Bora, within 2 [two] working days from today.
8. Heard the learned counsel for the parties on the prayer for bail.
9. Having considered the materials on record, this Court is inclined to allow the prayer for bail of the petitioner, though the prayer for bail is opposed by the learned counsel for the respondents. The petitioner is to appear before the Superintendent of Police [Border], Barpeta, within 10 [ten] days from today. On such appearance, the petitioner may be released on furnishing a bond of Rs. 5000/- [Rupees five thousand] with one surety to the satisfaction of the Superintendent of Police [Border], Barpeta. The Superintendent of Police [Border], Barpeta may also take steps for capturing the finger prints and biometrics of iris of the petitioner's eye balls, if so advised.

JUDGE

JUDGE

Comparing Assistant