

GAHC010051172019



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

Case No. : WP(C) 1750/2019

1:NUR HUSSAIN
S/O. LT. MAJER ALI, R/O. VILL. BANGALDOBA CAMP, P.S. CHAPAR, DIST.
DHUBRI, ASSAM.

VERSUS

1:THE UNION OF INDIA AND 5 ORS.
REP. BY THE SECRETARY TO THE MINISTRY OF HOME AFFAIRS, GOVT. OF
INDIA, NEW DELHI-110001.

2:THE ELECTION COMMISSION OF INDIA
REP. BY THE CHIEF ELECTION COMMISSIONER OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI-01.

3:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GUWAHATI-06.

4:THE DY. COMMISSIONER
DHUBRI
DIST. DHUBRI
ASSAM-783301.

5:THE SUPDT. OF POLICE (B)
DHUBRI
DIST. DHUBRI
ASSAM-783301.

6:THE STATE CO-ORDINATOR OF NRC
ASSAM

P.O. AND P.S. BHANGAGHAR
GUWAHATI-05
DIST. KAMRUP (M)
ASSAM

Advocate for the Petitioner : MR. S ISLAM

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

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

12.02.2020

(Manojit Bhuyan, J)

Heard Mr. S. Islam, learned counsel for the petitioner as well as Ms. G. Hazarika, learned counsel representing respondent no.1. Also heard Ms. B. Das, learned counsel represents respondent no.2; Mr. J. Payeng, learned counsel represents respondent nos.3, 4 and 5 and Ms. A. Verma, learned counsel for respondent no.4.

List for Motion again on 25.03.2020, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of F.T.7th Dhubri Case No. 160/BLP/2017 from the office of the Foreigners' Tribunal 7th Dhubri at Bilasipara, Assam.

A copy of this order requisitioning the case records and the Forwarding Letter by which the case records are sent to this Court be made part of the record file of the Tribunal.

As an interim measure, the petitioner Nur Hussain shall not be taken into custody and deported from the territory of India, subject to the condition that he shall appear before the Superintendent of Police (Border), Dhubri, within 15 (fifteen) days from today and furnish a bail bond of Rs. 5,000/- with one local surety of the like amount to the satisfaction of the said authority. A direction is also made to the Superintendent of Police (Border), Dhubri that as and when the petitioner appears within the period indicated above, the biometrics of the iris of both eyes, the fingerprints of both hands and

photograph of the petitioner shall be obtained, whereafter he shall be allowed to remain on bail.

This order be brought to the notice of the Registrar (Judicial).

JUDGE

JUDGE

Comparing Assistant