

GAHC010069652019



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

Case No. : WP(C) 2933/2019

1:IMAN HUSSAIN @ IMAN ALI @ IMAM ALI AND 3 ORS.
S/O- LT. NABI HUSSAIN, R/O. VILL- NARAMARI RESERVE, VILL.-
DHARAMTUL, DIST- MORIGAON, ASSAM.

2: MUSST. JAYADA BEGUM
W/O. MD. IMAN HUSSAIN @IMAN ALI
R/O. VILL- NARAMARI RESERVE
VILL.- DHARAMTUL
DIST- MORIGAON
ASSAM.

3: MD. MAJIBUR RAHMAN
S/O. MD. IMAN HUSSAIN @IAMN ALI
R/O. VILL- NARAMARI RESERVE
VILL.- DHARAMTUL
DIST- MORIGAON
ASSAM.

4: MUSST. FULU BEGUM @ ALEKJAN
D/O. MD. IMAN HUSSAIN @ IMAN ALI
R/O. VILL- NARAMARI RESERVE
VILL.- DHARAMTUL
DIST- MORIGAON
ASSAM

VERSUS

1:THE UNION OF INDIA AND 4 ORS.
REP. BY THE SECY. TO THE GOVT. OF INDIA, DEPTT. OF HOME AFFAIRS,
NEW DELHI.

2:THE STATE OF ASSAM
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
DEPTT. OF HOME

DISPUR
GHY.-06.

3:THE DY. COMMISSIONER
MORIGAON
P.O. AND P.S. MORIGAON
DIST.- MORIGAON
ASSAM. PIN-

4:THE SUPERINTENDENT OF POLICE (B)
MORIGAON
P.O. AND P.S. MORIGAON
DIST.- MORIGAON
ASSAM. PIN- 782105.

5:THE STATE COORDINATOR
NRC
G.S. ROAD
BHANGAGARH
GUWAHATI-05

Advocate for the Petitioner : MD. S HUDA

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

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

order

Date : 15-05-2019

(Manojit Bhuyan, J)

Heard Md. S. Huda, learned counsel for the petitioner as well as Mr. U.K. Nair, learned senior counsel representing respondent nos. 2, 3 and 4. Ms. A. Verma, learned counsel represents respondent no. 5. None appears for the respondent no. 1.

List for Motion again on 31.05.2019, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of F.T. Case No. 697/2006 and Misc. Case

(Review) No. 50/2015 from the office of the Foreigners' Tribunal No. 1st, Morigaon.

As an interim measure, the petitioner nos. 2, 3 and 4, namely, Musst. Jayda Begum, Md. Majibur Rahman and Musst. Fulu Begum shall not be taken into custody and deported from India, subject to the condition that they shall appear before the Superintendent of Police (Border), Morigaon within 15 (fifteen) days from today and furnish a bail bond of Rs.5,000/- each with one local surety of the like amount to the satisfaction of the said authority, whereafter they shall be allowed to remain on bail. A direction is also made to the Superintendent of Police (Border), Morigaon that as and when the petitioners appear, the biometrics of the iris of both eyes of the each petitioner along with the fingerprints of both hands shall be obtained/taken.

It is stated by Mr. Huda that the petitioner no. 1 i.e. Iman Hussain @ Iman Ali was taken into custody by Police yesterday. We, therefore, order that the petitioner no. 1 shall not be deported from the territory of India until further order(s).

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

JUDGE

JUDGE

Comparing Assistant