

GAHC010070592026



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

Case No. : WP(C)/2117/2026

ANOWARA BEGUM ALIAS MUSSTT. AMELA KHATOON
W/O- MD. ASARUDDIN HAQUE ALIAS ARARUDDIN, D/O- A. RASHID MIAY
ALIAS A. RASHID ALIAS A. RASHID, R/O- DIGHIR PATHAR, P.S.
BAGHBAR, DIST. BARPETA, ASSAM

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS, GOVERNMENT OF
INDIA, NEW DELHI-110001.

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

3:THE DISTRICT COMMISSIONER
BAKSA
TAMULPUR
ASSAM (BTAD).

4:THE SUPERINTENDENT OF POLICE (B)
BAKSA
BTAD
ASSAM

5:THE ELECTION COMMISSION OF INDIA
NEW DELHI-01.

6:THE ASSAM STATE CO-ORDINATOR OF NRC

BHANGAGARH
GUWAHATI-05

Advocate for the Petitioner : MR J ISLAM, E BEGUM

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 MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 24.04.2026
(K.R Surana, J)

Heard, Mr. J. Islam, learned Counsel for the petitioner. Also heard, Mr. S.K. Medhi, learned CGC, Ms. S. Katakey, learned Standing Counsel, ECI, Mr. P. Sarmah, learned Addl. Senior Govt. Advocate and Mr. G. Sarma, learned Standing Counsel, FT and NRC.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 08.03.2022, passed by the learned Member, Foreigner's Tribunal, Baksa, in FT Case No. 130/BAKSA/2017 (S.P. Ref. Case No. 65/07), by which the petitioner was declared as an illegal migrant of post 25.03.1971 stream.

3. In view of the inordinate delay in assailing the said opinion, keeping the issue of maintainability open on account of delay and laches open, issue notice returnable on 18.05.2026.

4. Requisite extra copies of the writ petition be furnished to the learned counsel for the respondents within 2 (two) working days.

5. Call for the records.

6. The prayer for bail shall be considered on received of Tribunals records.
7. In the meantime, the petitioner namely, Anowara Begum @ Musstt. Amela Khatoon is apprehended, she shall not be deported out of the Country without order of the Court.
8. The petitioner shall cause production of the certified copy of the order before the Superintendent of Police (B), Baksa to bring the order to the notice of the said authority.
9. List the matter again on 18.05.2026.

JUDGE

JUDGE

Comparing Assistant