

GAHC010082402021



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

Case No. : Review.Pet./68/2021

FATEMA BIDHABA
D/O- LATE ABDUL KADER ALI, W/O- LATE ABDUL REJJAK, VILL.- HALDIA
GAON, P.O. MAZGAON, P.S. SORBHOG, DIST. BARPETA, ASSAM, PIN-
781313.

VERSUS

THE UNION OF INDIA AND 6 ORS
REP. BY THE MINISTRY OF HOME AFFAIRS, NEW DELHI, PIN- 110001.

2:THE STATE OF ASSAM
REP. BY THE GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI- 781006.

3:THE DEPUTY COMMISSIONER
BARPETA
DIST.- BARPETA
ASSAM
PIN- 781301.

4:THE ELECTION COMMISSION OF INDIA
NEW DELHI- 110001.

5:THE STATE CO-ORDINATOR
NATIONAL REGISTER OF CITIZENS
ASSAM
GUWAHATI- 781005.

6:THE SUPERINTENDENT OF POLICE (B)

BARPETA
ASSAM.

7:THE OFFICER-IN-CHARGE
SORBHOG POLICE STATION
DIST. BARPETA
PIN- 781317

Advocate for the Petitioner : MR. M U MAHMUD

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

BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : - 01.09.2021
(Soumitra Saikia, J)

Heard Mr. M. U. Mahmud, learned counsel appearing for the petitioner. Also heard Mr. P. S. Lahkar, learned standing counsel for the respondent No. 1, Mr. J. Payeng, learned standing counsel for the respondent Nos. 2, 3, 6 & 7; Ms. B. Das, learned standing counsel for the respondent No. 4 and Ms. L. Devi, learned standing counsel for the respondent No. 5.

This review petition is directed against the order dated 10.11.2020 passed by this Court in WP(C) No. 1906/2020.

Pursuant to the order dated 10.11.2020 passed by this Court in WP(C) No. 1906/2020, the petitioner approached the Supreme Court. Vide order dated 18.03.2021, the Apex Court permitted the petitioner to withdraw the petition with a liberty to file review petition before the High Court. Accordingly, the present review petition has been filed by the petitioner seeking review of the order dated 10.11.2020 passed in WP(C) No. 1906/2020 on the grounds mentioned in the

review petition.

Let the notice be issued, Returnable after 3(three) weeks.

The records of F.T. Case No. 1910/2017 be requisitioned from the Foreigners Tribunal, Barpeta 11th in the meantime.

Upon hearing the learned counsel for the parties, the petitioner is permitted to remain on bail upon furnishing a bail bond of Rs.5,000/- (Rupees Five Thousand) with one local surety of the like amount to the satisfaction of the aforesaid authority. The petitioner will be allowed to remain on bail until further orders.

While appearing before the Superintendent of Police (Border), Barpeta for furnishing of bail bond, the concerned Superintendent of Police (Border), Barpeta shall also take steps for capturing the finger prints of both the hands and biometrics of both the iris of the petitioner. The petitioner shall not leave the jurisdiction of the Barpeta district without furnishing the details of the place of destination and necessary information including contact number to the Superintendent of Police (Border), Barpeta. The petitioner will appear before the Superintendent of Police (Border), Barpeta within a period of 15(fifteen) days from today.

List this matter after requisition of the records from the Foreigners Tribunal as directed.

List this matter again on 06.10.2021.

The respondents are also permitted to file their counter-affidavit, if so advised.

The petitioner will take steps on the respondents by furnishing the sufficient copies of the review petition along with annexure.

JUDGE

JUDGE

Comparing Assistant