

GAHC010094482026



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

**Case No. : WP(C)/2601/2026**

HUSSAIN ALI ALIAS HUSEN ALI  
S/O LATE TAJUMUDDIN ALIAS TAJIMUDDIN, VILLAGE- MOHGHULI  
BARGOLA, P.S. NORTH LAKHIMPUR, DISTRICT- LAKHIMPUR, ASSAM

VERSUS

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

2:THE STATE OF ASSAM  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI- 781006

3:THE DISTRICT COMMISSIONER  
DISTRICT- LAKHIMPUR  
ASSAM

4:THE SUPERINTENDENT OF POLICE (B)  
DISTRICT- LAKHIMPUR  
ASSAM

5:THE ELECTION COMMISSION OF INDIA  
NEW DELHI  
110001

6:THE STATE CO-ORDINATOR  
NATIONAL REGISTER OF CITIZENS (NRC)  
ASSAM  
BHANGAGARH

PIN- 78103

**Advocate for the Petitioner** : MR. A M AHMED, P. GHOSH,B DAS

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

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

**ORDER**

**Date : 03.06.2026**

[M. Choudhury, J]

Heard Mr. A.M. Ahmed, learned counsel for the petitioner; Mr. G. Sharma, learned Standing Counsel, NRC and Home & Political Department for the respondent nos. 2, 4 & 6; Mr. P. Sharma, learned Additional Senior Government Advocate, Assam for the respondent no. 3; and Ms. S. Katakey, learned Standing counsel, Election Commission of India for the respondent no. 5.

2. Assail is made in this writ petition to an Order/Opinion dated 02.03.2026 passed by the learned Member, Foreigners' Tribunal [1<sup>st</sup>], Lakhimpur, North Lakhimpur in Lakhimpur F.T.[1]/Case no. 2290/2011.

3. The learned counsel for the petitioner has submitted that the Order/Opinion has been passed ex parte. He has referred to the statements and averments made in paragraph 7 of the writ petition to submit that the reasons for absence of the petitioner in the proceeding before the Tribunal was due to eye-related complications and implantation of artificial eye.

4. Let TCR be called for.

4. Issue notice, returnable on 24.07.2026.

5. As all the respondents are represented, issuance of formal notice in respect of the respondents stand dispensed with. However, requisite nos. of extra copies of the writ petition along with annexures are to be furnished to Mr. G. Sharma, Mr. P. Sharma and Ms. Kakati within 2 [two] working days from today.

6. The learned counsel for the petitioner shall furnish a copy of the writ petition along with annexure to Mr. R.K. Debchoudhury, learned Deputy Solicitor General of India for service of notice upon the respondent no. 1 within 2 [two] working days from today.

7. Heard the learned counsel for the parties on the interim prayer.

8. Having regard to the facts and circumstances of the case, we direct the petitioner to appear before the Superintendent of Police [B], Lakhimpur, North Lakhimpur, 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 [B], Lakhimpur, North Lakhimpur. The Superintendent of Police [B], Lakhimpur, North Lakhimpur may also take steps for capturing the finger prints and biometrix of iris of the petitioner's eye balls, if so advised.

**JUDGE**

**JUDGE**

**Comparing Assistant**