

GAHC010099462026



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

Case No. : WP(C)/2727/2026

MAJEDA KHATUN
D/O- MOTLEB ALI ALIAS ABDUL MOTLEB, W/O- ABUL KALAM, VILL-
LACHANGA, P.S- KALGACHIA, DIST - BARPETA, ASSAM.

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE MINISTRY OF HOME
AFFAIRS, GOVT. OF INDIA, SHASTRI BHAWAN, TILOK MARG, NEW DELHI
-1

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER SECRETARY TO THE GOVT. OF
ASSAM
DEPARTMENT OF HOME DISPUR
GUWAHATI-6.

3:THE ELECTION COMMISSIONER OF INDIA
THROUGH ITS SECRETARY
NIRBACHAN BHAWAN
NEW DELHI -1.

4:THE STATE CO ORDINATOR
NATIONAL REGISTER OF CITIZENS (NRC)
ASSAM
BHANGAGARH
GUWAHATI-5.

5:THE DISTRICT COMMISSIONER OF BARPETA
DIST.-BARPETA
ASSAM.

6:THE SUPERINTENDENT OF POLICE (B)
BARPETA

DIST-BARPETA
ASSAM

Advocate for the Petitioner : MR. R ALI, MR H A AHMED,MISS. S PARBIN

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

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

ORDER

Date : 01.06.2026
[Manish Choudhury, J.]

Heard Mr. R. Ali, learned counsel for the petitioner; Ms. B. Sarma, learned Central Government Counsel [CGC] for the respondent no. 1; Ms. A. Verma, learned Standing Counsel, FT, Home & Political Department for the respondent nos. 2 & 6; Ms. S. Katakey, learned Standing Counsel, ECI for the respondent no. 3; Mr. G. Sarmah, learned Standing Counsel, NRC for the respondent no. 4; and Ms. R.B. Bora, learned Government Advocate, Assam for the respondent no. 5.

2. In this writ petition, assail is made to an Order/Opinion of the Foreigners' Tribunal No. 8th, Barpeta, Assam in F.T. Case no. 494/2018 [IM(D)T Case no. 1793/B/98]. By the Order/Opinion, the Tribunal declared the petitioner-proceedee is a foreigner/illegal migrant under Section 2[a] of the Foreigners Act, 1946 and as a result, she is a foreigner of post 25.03.1971.

3. The matter would required consideration.

4. Let TCR be called for.

5. Issue notice, returnable on 20.07.2026.

6. As all the respondents are represented, issuance of formal notice in respect of the respondents stand dispensed with. The learned counsel for the petitioner shall serve requisite nos. of extra copies to the learned counsel for the respondents within 2 [two] working days from today.

7. Heard on the prayer of interim relief.

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

JUDGE

JUDGE

Comparing Assistant