

GAHC010101732019



undefined

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

Case No. : WP(C)/3030/2019

BAKULI DEBNATH
W/O- LT RAJENDRA DEBNATH AND D/O- LT BISWAMBER DEBNATH @ LT
BISWAMBER NATH, VILL- NO. 4 BISHNUPUR, P.S. DHEMAJI, DIST-
DHEMAJI, ASSAM, PIN- 787057

VERSUS

UNION OF INDIA AND 4 ORS.
THROUGH THE SECY., MINISTRY OF HOME AFFAIRS, GOVT. OF INDIA,
NEW DELHI- 110001

2:THE STATE OF ASSAM
THROUGH THE SECY.
GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GHY-6

3:THE DY. COMMISSIONER
DHEMAJI
DIST- DHEMAJI
ASSAM
PIN- 787057

4:SUPERINTENDENT OF POLICE (B)
DHEMAJI
DIST. AND P.O. DHEMAJI
PIN- 787057

5:OFFICER-IN-CHARGE
DHEMAJI P.S.
DIST- DHEMAJI

ASSAM
PIN- 78705

Advocate for the Petitioner : MR G P BHOWMIK, MS. J PURKAYASTHA, MRS. M HORE, MS
M KALITA

Advocate for the Respondent : ASSTT.S.G.I., SC, ELECTION COMMISSION., SC, NRC, SC, F.T

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 19.01.2026
(K.R. Surana, J)

None appears for the petitioner on call.

However, all the respondents are represented.

On a perusal of the records, it appears that the petitioner has exhibited a certificate of registration bearing serial no. 88311, issued by the Sub-Deputy Collector, Tinsukia with date of issue as 03.05.1960, certifying that Biswambar Debnath, son of Late Romesh Chandra Nath, is registered as a citizen of India under the provisions of Section 5 (1) (a) (d) of the Citizenship Act, 1955.

Accordingly, it appears that once a person is registered as an Indian Citizen, the said Act is done under the authority of the Government of India, with powers delegated to certain officials under the State Government.

Accordingly, the Court query is as to which authority at the present time, would be the custodian of the records of the certificate of registration by which persons are registered as citizens under Section 5 (1) (a) (d) of the Citizenship Act, 1955.

Though the documents is illegible, the AO(J), FT Section shall provide a

photocopy of the page no. 46 of the Tribunals records to Ms. A. Verma, learned standing counsel for the FT and Border matters and to Ms. A. Gayan, learned CGC so as to enable them to obtain instructions.

The learned standing counsel for the FT and Border matters and the learned CGC shall transmit a downloaded copy of this order to the concerned authorities to obtain instructions.

It may be mentioned that the petitioner remained absent on call when the matter was previously listed on 17.12.2025 and also today. Accordingly, the petitioner is put to notice that in the event the petitioner is absent on the next date of listing, adverse orders shall follow.

Mr. P. Sarmah, learned Additional Senior Govt. Advocate, has produced a copy of the letter dated 17.01.2026 along with one enclosure thereto. This is in compliance of the order dated 19.08.2019. The said document is made a part of record.

List the matter on 20.02.2026.

JUDGE

JUDGE

Comparing Assistant