

GAHC010101762019



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

Case No. : WP(C) 3076/2019

1:JAYNAB KHATUN @ JAYNAB BEGUM
DAUGHTER OF- LATE JOYNAL @ JOYNAL ALI @ A. JOYNAL, WIFE OF-
OHAB ALI, RESIDENT OF VILLAGE- SALEKURA, P.S.- BARPETA, MOUZA-
JANIA, DIST.- BARPETA, ASSAM. PIN NO. 781314.

VERSUS

1:THE UNION OF INDIA AND 8 ORS.
REPRESENTED BY THE SECRETARY, MINISTRY OF HOME AFFAIRS, GOVT.
OF INDIA, NEW DELHI. PIN NO. 110001.

2:THE ELECTION COMMISSION OF INDIA
REPRESENTED BY THE CHIEF ELECTION COMMISSIONER
NEW DELHI
PIN- 110001.

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

4:THE STATE CO-ORDINATOR OF NATIONAL REGISTER OF CITIZENS
(NRC)
GOVT. OF ASSAM
DISPUR
GUWAHATI-6.

5:THE DEPUTY COMMISSIONER
BARPETA
P.S.- BARPETA
DISTRICT- BARPETA
ASSAM. PIN NO.-781301.

6:THE SUPERINTENDENT OF POLICE (BORDER)
BARPETA
P.S. AND DISTRICT- BARPETA
ASSAM. PIN NO. 781301.

7:THE ENQUIRY OFFICER OF F.T. REF. CASE NO. 19/16
ON THE BASIS OF WHOSE REPORT PROCEEDING HAS BEEN REGISTERED
AGAINST THE PETITIONER.

8:JAKIR HUSSAIN
SON OF- LATE KABEL UDDIN
RESIDENT OF VILLAGE- SALEKURA
P.O. AND MOUZA- JANIA
P.S. AND DISTRICT- BARPETA
ASSAM. PIN NO. 781314.

9:ABDUL KARIM
SON OF- LATE GENDU MIAH
RESIDENT OF VILLAGE- SALEKURA
P.O. AND MOUZA- JANIA
P.S. AND DISTRICT- BARPETA
ASSAM. PIN NO. 781314

Advocate for the Petitioner : MR. S ISLAM

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

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

O R D E R

24.05.2019

(Manojit Bhuyan, J)

Heard Mr. S. Islam, learned counsel for the petitioner as well as Ms. N. Upadhyay, learned counsel representing respondent no.2. Mr. J. Payeng, learned counsel represents respondent nos.3, 5, 6 and 7 whereas Ms. U. Das, learned counsel appears

for respondent no.4. None to represent respondent nos.1, 8 and 9.

List for Motion again on 15.07.2019, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of F.T. Case No.285/2016 from the office of the Foreigners' Tribunal No.1, Barpeta.

As an interim measure, the petitioner Jaynab Khatun @ Jaynab Begum shall not be taken into custody and deported from the territory of India, subject to the condition that she shall appear before the Superintendent of Police (Border), Barpeta, within 15 (fifteen) days from today and furnish a bail bond of Rs. 5,000/- with one local surety of the like amount to the satisfaction of the said authority. A direction is also made to the Superintendent of Police (Border), Barpeta that as and when the petitioner appears within the period indicated above, the biometrics of the iris of both eyes, the fingerprints of both hands and photograph of the petitioner shall be obtained, whereafter she shall be allowed to remain on bail.

This order be brought to the notice of the Registrar (Judicial).

JUDGE

JUDGE

Comparing Assistant