

GAHC010103122019



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

Case No. : WP(C) 3089/2019

1:ADEK ALI
S/O. MD. MAKABIL ALI @ MOGBIL ALI @ MAKABIL ALI, VILL. SANTI
NAGAR, P.O. AND P.S. GOGAMUKH, DIST. DHEMAJI, ASSAM.

VERSUS

1:THE UNION OF INDIA AND 6 ORS.
REP. BY THE SECRETARY, TO THE GOVT. OF INDIA, MINISTRY OF HOME
AFFAIRS, SHASTRI BHAWAN, TILAK MARK, NEW DELHI-110001.

2:THE ELECTION COMMISSION OF INDIA
THROUGH ITS SECRETARY
NIRBACHAN BHAWAN
NEW DELHI-01.

3:THE STATE OF ASSAM
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
DEPTT. OF HOME
DISPUR
GUWAHATI-06.

4:THE STATE COORDINATOR
NATIONAL REGISTRAR OF CITIZENS (NRC)
ASSAM
BHANGAGARH
GUWAHATI-05.

5:THE DY. COMMISSIONER
DHEMAJI
DIST. DHEMAJI
ASSAM.

6:THE SUPDT. OF POLICE (B)
DHEMAJI

DIST. DHEMAJI
ASSAM.

7:THE OFFICER IN CHARGE OF GOGAMUKH POLICE STATION
DIST. DHEMAJI
ASSAM

Advocate for the Petitioner : MR. B K GOGOI

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

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

ORDER

Date : 24-05-2019
(Manojit Bhuyan, J)

Heard Mr. B. K. Gogoi, learned counsel for the petitioner as well as Ms. N. Upadhyay, learned counsel representing respondent no.2. Mr. J. Payeng, learned SC, Foreigners Tribunal represents respondent nos.3, 5 to 7 and Ms. U. Das, learned counsel represents respondent no. 4. None appears for respondent no. 1.

List for Motion again on 28.06.2019, 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-1246/07 and F.T. Case No-1274/07 from the office of the Foreigners' Tribunal, 1st Dhemaji, District - Dhemaji.

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

As an interim measure, the petitioner Adek Ali shall not be taken into custody and deported from the territory of India, subject to the condition that he shall appear before the Superintendent of Police (Border), Dhemaji, 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), Dhemaji 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 he shall be allowed to remain on bail.

JUDGE

JUDGE

Comparing Assistant