

GAHC010103442019



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

Case No. : WP(C) 3116/2019

1:ATOWAR RAHMAN
S/O MAHARCHAN ALI @ MAHARJAN @ MAHAR SHEIKH, RESIDENT OF
VILLAGE- ROUMARI GAON, P.S. TARABARI, DISTRICT- BARPETA, ASSAM.

VERSUS

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

2:THE ELECTION COMMISSION OF INDIA
GOVT. OF INDIA
NEW DELHI-2.

3:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
DEPARTMENT OF HOME
DISPUR
GUWAHATI-6.

4:THE ASSAM STATE COORDINATOR OF NRC
BHANGAGARH
GUWAHATI-5.

5:THE DEPUTY COMMISSIONER OF POLICE (B)
BARPETA
P.O. AND DIST. BARPETA
ASSAM.

6:THE DEPUTY COMMISSIONER
BARPETA
P.O. AND DIST. BARPETA

ASSAM

Advocate for the Petitioner : MD. A MATLIB

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

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN
HONOURABLE MR. JUSTICE PRASANTA KUMAR DEKA

O R D E R

27.05.2019

(Manojit Bhuyan, J)

Heard Mr. R. Dhar, learned counsel for the petitioner as well as Mr. J. Payeng, learned counsel representing respondent nos.3, 5 and 6. Ms. U. Das, learned counsel represents respondent no.4. None to represent respondent nos.1 and 2.

Petitioner to serve copy of the writ petition on the Standing Counsel representing respondent nos.1 and 2.

Issue Notice, returnable by 4 (four) weeks.

No fresh steps are required to be taken.

Office to requisition the case records in respect of Case No. F.T. 253/2016 from the office of the Foreigners' Tribunal No.7, Barpeta.

As an interim measure, the petitioner Atowar Rahman 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), 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 he shall be allowed to remain on bail.

List for Admission after the returnable date.

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

JUDGE

JUDGE

Comparing Assistant