

GAHC010105642019



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

Case No. : WP(C)/3163/2019

SOFIA PARVEEN
D/O- LT. HABIBAR RAHMAN, W/O- MD. NIZAM UDDIN, R/O- VILL-
JORSHIMULI GOSPUTA, P.O- TAPAR PATHER, P.S- CHAYGAON, DIST-
KAMRUP(R), ASSAM, PIN- 781137.

VERSUS

THE UNION OF INDIA AND 9 ORS.
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS, GOVT. OF INDIA,
NEW DELHI-01.

2:THE CHIEF ELECTION COMMISSIONER OF INDIA
NEW DELHI-01.

3:THE STATE OF ASSAM
REPRESENTED BY CHIEF SECRETARY TO THE GOVT. OF ASSAM
DISPUR
GHY- 06.

4:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GHY.-06.

5:THE STATE CO-ORDINATOR
NRC
ASSAM
BHANGAGARH
GHY.-06.

6:THE DIRECTOR GENERAL OF POLICE
ASSAM

ULUBARI
GUWAHATI-05.

7:THE SUPERINTENDENT OF POLICE (B)
KAMRUP(R)
DIST.- KAMRUP(R)
ASSAM. PIN- 780031.

8:THE DEPUTY COMMISSIONER
KAMRUP(R)
DIST.- KAMRUP(R)
ASSAM. PIN- 780031.

9:THE OFFICER-IN-CHARGE
CHAYGAON POLICE STATION
DIST.- KAMRUP(R)
ASSAM. PIN- 780031

Advocate for the Petitioner : MR. M U MONDAL

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

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

HON'BLE MR. JUSTICE SOUMITRA SAIKIA

07-12-2020

(S. Saikia, J)

Heard Mr. M. U. Mondal, learned counsel for the petitioner and Mr. P. K. Medhi, learned Central Government counsel for the respondent No. 1, Union of India. Also heard Ms. N. Upadhaya, learned Standing counsel for the respondent No. 2, Election Commission of India and Mr. J. Payeng, learned State counsel for the respondent Nos. 3, 4, 6 & 7 to 10 as well as Ms. L. Devi, learned Standing counsel for the respondent No. 5, NRC.

Before proceeding further in the matter, this Court would like to examine the records of the Tribunal in connection with G.F.T.(R) Case No. 1837/2017, which was disposed of on 02.11.2018 by the learned Member, Foreigners' Tribunal, Kamrup (Rural) No. 1.

Accordingly, Registry is directed to requisition the records of said G.F.T.(R) Case No. 1837/2017 from the learned Member, Foreigners' Tribunal, Kamrup (Rural) No. 1.

Petitioner is directed to serve extra copies of this writ petition including the annexures appended thereto on the learned counsels representing the respondents.

Let this matter be listed for motion again upon receipt of the records from the Tribunal, on a date to be fixed by the Registry.

In the meanwhile, the respondents shall file their affidavit(s)/objections in the matter, if so desired.

The interim prayer of the petitioner shall be considered upon receipt of the Tribunal's record.

A copy of this order requisitioning the case records and the Forwarding Letter by which the case records are sent to this Court be made part of the record file of the Tribunal.

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

List accordingly.

JUDGE

JUDGE

Comparing Assistant