

GAHC010107602019



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

Case No. : WP(C) 3207/2019

1:DINESH SARKAR
S/O. KALICHARAN SARKAR @ KALI CHARAN, R/O. VILLAGE KURIHAR
PAM, MOUZA- PAKA, P.S. SARTHEBARI, DISTRICT- BARPETA, ASSAM.

VERSUS

1:THE UNION OF INDIA AND 5 ORS.
THROUGH- THE SECRETARY, TO THE GOVERNMENT OF INDIA, MINISTRY
OF HOME AFFAIRS, GRIHA MANTRALAYA, NEW DELHI.

2:THE STATE OF ASSAM
THROUGH- THE SECRETARY
TO THE GOVERNMENT OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-6.

3:THE ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN ASOKA ROAD
NEW DELHI-110001.

4:THE STATE CO-ORDINATOR
NATIONAL REGISTRATION OF CITIZEN
ASSAM
BHANGAGARH
GUWAHATI- 781005.

5:THE DEPUTY COMMISSIONER
BARPETA
P.O. AND DISTRICT BARPETA
ASSAM. PIN CODE 781301.

6:THE SUPERINTENDENT OF POLICE (BORDER)
BARPETA

P.O. BARPETA
DISTRICT BARPETA
ASSAM. PIN CODE 781301

Advocate for the Petitioner : MR. F A HASSAN

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

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

ORDER

Date : 29-05-2019
(Manojit Bhuyan, J)

Heard Mr. F A Hassan, learned counsel for the petitioner as well as Mr. J. Payeng, learned counsel representing respondent nos. 2, 5 and 6. Mr. A. I. Ali, learned counsel represents respondent no. 3 whereas Ms. U. Das, learned counsel appears for respondent no. 4. None appears for the respondent no. 1.

List for Motion again on 19.07.2019, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of FT Case No. 1494(III) of 2013 from the office of the Foreigners' Tribunal-III, Barpeta.

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

As an interim measure, the petitioner Dinesh Sarkar shall not be taken into custody and deported from 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.

JUDGE

JUDGE

Comparing Assistant