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

Case No. : WP(C)/3052/2026

MOZIDA KHATUN ALIAS MOJIDA KHATUN,
D/O- MOJAMMEL HOSEN BHUYAN ALIAS MUJAMMEL HUSEN ALIAS
MOJAMMEL HUSEN, W/O- ABDUL HAMID MONDAL, VILL-HALDIBARI, P.S-
BOGUAN, DIST-GOALPARA, ASSAM.

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE MINISTRY OF HOME
AFFAIRS, GOVT. OF INDIA, NEW DELHI-01.

2:THE ELECTION COMMISSION OF INDIA

NEW DELHI-01.

3:THE STATE OF ASSAM

REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-06.

4:THE COORDINATOR

NATIONALREGISTER OF CITIZENS (NRC)
ASSAM
BHANGAGARH
GUWAHATI-05.

5:THE DISTRICT COMMISSIONER

GOALPARA DISTRICT

ASSAM.

6:THE SUPERINTENDENT OF POLICE (B) GOALPARA

DISTRICT- GOALPARA
ASSAM.

7:THE OFFICER-IN-CHARGE

BOGUAN POLICE STATION
GOALPARA
DIST.- GOALPARA
ASSA

Advocate for the Petitioner : MR. M ALI, H R KHAN

Advocate for the Respondent : DY.S.G.I., SC, ECI,GA, ASSAM,SC, NRC,SC, F.T

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 15.06.2026
(K.R. Surana, J)

Heard Mr. M. Ali, learned counsel for the petitioner. Also heard Mr. D.J. Das, learned CGC; Mr. J. Payeng, learned standing counsel for the FT and Border matters; Ms. M. Singha, learned counsel appearing on behalf of Ms. S. Katakey, learned standing counsel for the ECI; and Mr. P. Sarmah, learned Additional Senior Govt. Advocate for the State respondent.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 19.02.2026, passed by the learned Member, Foreigners' Tribunal-4th, Goalpara, in F.T. Case No. FT(G-4) 1174/22, arising out of Ref. FT Case No. 03/2022, by which the

petitioner was declared as an illegal migrant of post 25.03.1971 stream.

3. Issue notice returnable in 4 (four) weeks.
4. Requisite extra copies of the writ petition be furnished to the learned counsel for the respondents within 2 (two) working days.
5. Let the relevant records be called for from the concerned Foreigners Tribunal by email at the following email address:

ft4glp@gmail.com

6. The prayer for bail is opposed by the learned standing counsel for the FT matters. However, in view of the projection made in this writ petition, the Court is inclined to grant bail to the petitioner, namely, Mozida Khatun @ Mojida Khatun, by providing that if she has not already been detained in custody, she shall not be taken into custody and deported from the territory of India, on condition that she shall appear before the Superintendent of Police (Border), Goalpara within 10 (ten) days from today during the office hours and shall furnish a bail bond of Rs. 5,000/- (Rupees five thousand only) with one solvent surety of the like amount to the satisfaction of the said authority. Further, the Superintendent of Police (Border), Goalpara is directed that on appearance of the petitioner within the period indicated above, the biometrics of the iris of both eyes, the fingerprints of both hands and the photographs of the petitioner shall be obtained, whereafter, she shall be allowed to remain on bail.

7. On her appearance before the Superintendent of Police (Border), Goalpara, as directed above, the said authority shall obtain necessary information and documentation as required under the Rules from the petitioner

for securing her presence.

8. On failure of the petitioner to appear before the Superintendent of Police (Border), Goalpara, the bail to the petitioner would stand lapsed.

9. List the matter after 4 (four) weeks and/or on receipt of the Tribunal records.

JUDGE

JUDGE

Comparing Assistant