

GAHC010115522020



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

Case No. : I.A.(Civil) 1392/2020

1:UDAY SHANKAR KURI
S/O- LT HAR CHANDRA KURI, R/O- VILL- TOLIBAR PAR, DHING TOWN,
MOUZA- DHING, P.O. DHING, P.S. DHING, DIST- NAGAON, ASSAM, PIN-
782123

VERSUS

1:THE UNION OF INDIA AND 5 ORS.
REP. BY THE SECY. TO THE GOVT. OF INDIA, MINISTRY OF HOME, NEW
DELHI- 110001

2:THE STATE OF ASSAM
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPTT.
DISPUR
GHY-06

3:ELECTION COMMISSION OF INDIA
REP. BY THE CHIEF ELECTION COMMISSIONER
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI- 110001

4:THE STATE CO-ORDINATOR OF NATIONAL REGISTER OF CITIZENS
ACHYUT PLAZA
G.S.ROAD
BHANGAGARH
GHY-5
ASSAM

5:SUPERINTENDENT OF POLICE (B)
DIST- NAGAON
ASSAM
PIN- 782001

6:THE DY. COMMISSIONER
DIST- NAGAON
ASSAM
PIN- 78200

Advocate for the Petitioner : MR. J ROY

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

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

15.10.2020

(Manojit Bhuyan, J)

Heard Mr. J. Roy, learned counsel for the applicant as well as Mr. A. Kalita, learned counsel representing respondent nos.2, 5 and 6. Ms. B. Das, learned counsel represents respondent no.3 whereas Ms. G. Hazarika, learned counsel appears for respondent no.4.

Mr. Kalita submits that oral instructions have been received over phone from the Superintendent of Police (B), Nagaon, which he would like to bring on record by means of an affidavit.

Grievance raised in this application is that the applicant/writ petitioner has been compelled to appear before the Officer In-charge, Dhing Police Station regularly on an interval of 15 days period. It is stated that such condition is not part of the interim order dated 26.04.2019 passed in the connected writ petition i.e. WP(C)2622/2019.

Pending filing of the additional affidavit by the State, we make it clear that making the applicant/writ petitioner to regularly appear before the Officer In-charge, Dhing Police Station on 15 days interval may not be insisted upon. This may not be construed to mean that the applicant/writ petitioner has been dispensed from appearing before the Officer In-charge, Dhing Police Station. Necessary procedure may be devised by the Officer In-charge, Dhing Police Station, having regard to the fact that the applicant/writ petitioner is employed in a shoe store in the name and style Sunrise Foot Wear, located at B.T. Road, Imphal.

List immediately after the additional affidavit is filed.

Copy of this order be furnished to Mr. Kalita during the course of the day.

JUDGE

JUDGE

Comparing Assistant