

GAHC010117162021



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

**Case No. : WP(C)/4069/2021**

ISHUB ALI @ ISAB ALI @ ISUB ALI @ ISOB AL @ EUSUB ALI  
S/O LT. MAKIRUDDIN ALI @ MAHAR UDDIN PRODHANI @ MAHIRUDDIN  
SHEIKH @ MOHOR UDDIN @ MAKIR UDDIN SHEIKH AGED ABOUT 48  
YEARS, R/O VILL. GASPARA MOUZA DHRAMSALA, P.S. DHUBRI, DIST.  
DHUBRI, ASSAM.

VERSUS

THE UNION OF INDIA AND 6 ORS.  
TO BE REPRESENTED BY THE SECY. TO THE GOVT. OF INDIA, MINISTRY  
OF HOME AFFAIRS, SHASTRI BHAWAN, NEW DELHI 01

2:THE STATE OF ASSAM

TO BE REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT.  
OF ASSAM  
DEPTT. OF HOME  
DISPUR  
GUWAHATI 781006

3:THE DEPUTY COMMISSIONER

KAMRUP (M)  
M.G. ROAD  
GUWAHATI 781001  
ASSAM.

4:THE DEPUTY COMMISSIONER OF POLICE (B)  
GUWAHATI  
GUWAHATI  
PIN 781001  
ASSAM.

5:ELECTION COMMISSION OF INDIA

TO BE REPRESENTED BY THE CHIEF ELECTION COMMISSIONER OF  
INDIA  
NIRVACHAN SADAN  
ASOKA ROAD  
NEW DELHI 110001

6:THE STATE COORDINATOR OF NATIONAL REGISTRATION (NRC)  
ASSAM  
1ST FLOOR  
ACHYUT PLAZA  
GUWAHATI SHILLONG ROAD  
BHANGAGARH  
GUWAHATI 781005  
ASSAM.

7:THE FOREIGNERS REGIONAL REGISTRATION OFFICER

PAN BAZAR  
GUWAHATI 781030  
ASSAM

**Advocate for the Petitioner : MR I RAFIQUE**

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

**BEFORE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**  
**HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 24-08-2021**  
**Suman Shyam, J**

Heard Mr. I. Rofique, learned counsel for the petitioner.

The impugned opinion/ order dated 28-02-2021 passed by the Foreigners Tribunal No. 5, Kamrup (M) in connection with F.T. Case No. 2131/2016 is under challenge in this writ petition on the ground of perversity.

Mr. J. Payeng, learned standing counsel, Foreigners Tribunal is present on behalf of

the official respondents.

Call for the LCR.

Heard on the prayer of interim relief.

As an interim measure, we hereby direct that in the event of arrest, the petitioner be released on bail on furnishing a bond of Rs. 5,000/- and one surety of like amount to the satisfaction of Deputy Commissioner of Police (B), Kamrup (M).

As a prudent measure, the Deputy Commissioner of Police may take steps for capturing the finger prints and biometrics of iris of the petitioner's eyeballs for future reference.

Let this matter be listed again after receipt of LCR.

**JUDGE**

**JUDGE**

GS

**Comparing Assistant**