

GAHC010139712019



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

**Case No. : WP(C) 4267/2019**

1:MALEKA KHATUN @ MALA KHATUN  
W/O- MAZAM ALI, R/O- VILL- KHATAKUCHI, P.O. AND P.S. SORBHOG, DIST.  
BARPETA, ASSAM.

VERSUS

1:THE UNION OF INDIA AND 5 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF INDIA, HOME AFFAIRS DEPARTMENT, NEW DELHI-01.

2:THE STATE OF ASSAM  
REPRESENTED BY THE COMMISSIONER AND SECRETARY  
TO THE GOVT. OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI 06.

3:THE ELECTION COMMISSION OF INDIA  
NEW DELHI-01  
INDIA.

4:THE STATE CO-ORDINATOR  
NRC  
ASSAM.

5:THE DEPUTY COMMISSIONER  
BARPETA  
P.O.- BARPETA  
DIST.- BARPETA  
ASSAM  
PIN- 781301.

6:THE SUPERINTENDENT OF POLICE (B)  
BARPETA

P.O.- BARPETA  
DIST.- BARPETA  
ASSAM  
PIN- 781301

**Advocate for the Petitioner** : MR A ALI

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

**:: BEFORE ::**

**HON'BLE MR. JUSTICE MANOJIT BHUYAN**  
**HON'BLE MR. JUSTICE KALYAN RAI SURANA**

**O R D E R**

**16.08.2019**

(Manojit Bhuyan, J)

Heard Mr. A. Ali, learned counsel for the petitioner as well as Ms. G. Hazarika, learned counsel representing respondent no.1. Mr. J. Payeng, learned counsel appears for respondent nos.2, 5 and 6 whereas Ms. A. Borgohain, learned counsel appears for respondent no.3. Ms. U. Das, learned counsel appears for respondent no.4.

List for Motion again on 18.09.2019, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of Case No. (Bpt/11<sup>th</sup>) F.T 2111/2017 from the office of the Foreigners' Tribunal, Assam, Barpeta 11<sup>th</sup>.

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).

As an interim measure, the petitioner Maleka Khatun @ Mala Khatun shall not be taken into custody and deported from the territory of India, subject to the condition that she shall appear before the Superintendent of Police (Border), Barpeta within 15 (fifteen) days from today and furnish a bail bond of ₹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 she shall be allowed to remain on bail.

**JUDGE**

**JUDGE**

**Comparing Assistant**