

GAHC010140942019



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

**Case No. : WP(C) 4387/2019**

1: BASIR ALI  
S/O. ASIRUDDIN SK @ ASIRUDDIN, VILL. BEGUNTALI, P.S. GAURIPUR, P.O.  
SOUTH GERAMARI, DIST. DHUBRI, ASSAM, PIN-783331.

VERSUS

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

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

3: THE STATE OF ASSAM  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
HOME DEPTT.  
DISPUR  
GUWAHATI-06.

4: THE STATE CO-ORDINATOR OF NRC  
BHANGAGARH  
ASSAM  
GHY.-05.

5: THE DY. COMMISSIONER  
DHUBRI  
DIST. DHUBRI  
ASSAM  
PIN-783301.

6: THE SUPDT. OF POLICE (B)  
DHUBRI  
DIST. DHUBRI  
ASSAM

PIN-783301.

7:THE OFFICER IN CHARGE  
GAURIPUR POLICE STATION  
DIST. DHUBRI  
ASSAM  
PIN-783331

**Advocate for the Petitioner** : MR. M U MAHMUD

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

**BEFORE**  
**HONOURABLE MR. JUSTICE MANOJIT BHUYAN**  
**HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

**ORDER**

**21.08.2019**

**(Manojit Bhuyan, J.)**

Heard Mr. M.U. Mahmud, learned counsel for the petitioner as well as Ms. G. Hazarika, learned counsel representing respondent no.1. Mr. A. Kalita, learned counsel represents respondent nos. 3, 5, 6 and 7 and Ms. U. Das, learned counsel appears for respondent no.4. List for Motion again on 04.10.2019, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of Case No. F.T-4/35/GPR/2018 from the office of the Foreigners' Tribunal 4<sup>th</sup>, Dhubri, Assam.

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 Basir Ali shall not be taken into custody and deported from India, subject to the condition that he shall appear before the Superintendent of Police (Border), Dhubri 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), Dhubri 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**