

GAHC010142622025



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

Case No. : WP(C)/3711/2025

HASHEM ALI KHAN ALIAS MD. HASEN KHAN
S/O- ZOLISH KHA @ JALISH KHAN, R/O- VILL.- SUNDARPARA PART-I, P.O.
JAMADARHAT, P.S. FAKIRGANJ, DIST. DHUBRI, ASSAM

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY ITS SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF
HOME AFFAIRS, NEW DELHI-110001.

2:THE ELECTION COMMISSION OF INDIA
REPRESENTED BY THE CHIEF ELECTORAL OFFICER
ASSAM
DISPUR
GUWAHATI-06.

3:THE REGISTRAR GENERAL OF INDIA
REPRESENTED BY THE STATE COORDINATOR
NRC
ASSAM
ULUBARI
GHY-05.

4:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
HOME DEPARTMENT
DISPUR
GHY-06.

5:THE DIRECTOR GENERAL OF POLICE (ADMINISTRATION)
ASSAM

ULUBARI
GUWAHATI-07.

6:THE DISTRICT COMMISSIONER
KAMRUP METRO
ASSAM
HENGRABARI
GHY-36.

7:THE SUPERINTENDENT OF POLICE (B)
KAMRUP METRO
ASSAM
PANBAZAR
GHY-01

Advocate for the Petitioner : MR. A RAHMAN,

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

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MR. JUSTICE K. SEMA

ORDER

26.06.2025

(K.R. Surana, J)

Heard Mr. A. Rahman, learned counsel for the petitioner. Also heard Mr. S. K. Medhi, learned CGC, Ms. N. Bedi, learned counsel appearing on behalf of Ms. P. Barua, learned standing counsel for the ECI, Mr. G. Sarma, learned standing counsel for the FT Matters, and Mr. H. K. Hazarika, learned Govt. Advocate for the State.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 30.04.2024, passed by the learned Member, Foreigner's Tribunal No. 3rd, Kamrup (M) Assam in F.T. Case No. 602/2017, in F.T. (DCP)- 752/2017 (Assam), by which the petitioner was declared as an illegal migrant.

3. Issue notice returnable on 30.07.2025.
4. Requisite extra copies of the writ petition be furnished to the learned counsel for the respondents in course of the day.
5. Registry shall send a requisition for the records of concerned case by usual process as well as by e-mail address to the following email-addresses of the said learned Tribunal.

ft3kamrupmetro@gmail.com

6. The prayer for bail shall be considered on receipt of the Tribunal records.
7. In the meanwhile, if the petitioner namely, Hashem Ali Khan @ Md. Hasen Khan is apprehended, he shall not be deported out of the Country without the order of this Court.
8. List the matter on 30.07.2025 and/or on receipt of the Tribunal records.

JUDGE

JUDGE

Comparing Assistant