

GAHC010151192019



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

Case No. : WP(C) 4906/2019

1:SHAMAR ALI @ SAMAR ALI
S/O- LT. HARMUZ ALI @ HARMUZ ALI FAKIR, VILL. BALIDUNGA PAM, P.O.
MOIRABARI, P.S. MOIRABARI, DIST. MORIGAON, ASSAM, PIN- 782121.

VERSUS

1:THE UNION OF INDIA AND 5 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF INDIA,
HOME DEPTT., NEW DELHI-1, INDIA.

2:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GHY-6.

3:THE STATE COORDINATOR
NATIONAL REGISTER OF CITIZENS (NRC)
ASSAM
ACHYUT PLAZA
BHANGAGARH
GHY.-5
ASSAM.

4:THE ELECTION COMMISSION OF INDIA
REP. BY THE COMMISSIONER
NIRVACHAN SADAN
ASHOKA ROAD
DELHI. 110001.

5:THE DEPUTY COMMISSIONER
MORIGAON
DIST. MORIGAON
ASSAM.

6:THE SUPERINTENDENT OF POLICE (B)
MORIGAON
DIST. MORIGAON
ASSAM

Advocate for the Petitioner : MR E AHMED

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

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

order

Date : 11-09-2019

(Manojit Bhuyan, J)

Heard Mr. Z. Hammad, 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. 2, 5 and 6. Ms. U. Das, learned counsel represents respondent no. 3 whereas Ms. A. Borgohain, learned counsel appears for respondent no. 4.

List for Motion again on 13.11.2019, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of Case No. FT.75/13 from the office of the Foreigners Tribunal 2nd, Morigaon, 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.

As an interim measure, the petitioner Md. Samar 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), Morigaon 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), Morigaon 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.

This order be brought to the notice of the Registrar (Judicial).

JUDGE

JUDGE

Comparing Assistant