

GAHC010154572019



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

Case No. : WP(C) 4755/2019

1:JAHARUL ALI @ JAHERUL ISLAM
S/O- MD. SUKUMUDDIN ALI @ SUKUMUDDIN TALKDAR @ SUKUMUDDIN
@ SUKUMUDDIN ALI @ SAKIMUDDIN, R/O- VILL- JHARPARA
MARKANDA/MERGANDA (JHARPARA), P.S- CHAYGAON, DIST-
KAMRUP(R), ASSAM, PRESENT R/O- C/O- BABLU, VILL- LOWER
MIRZAPUR, P.S- AZARA, DIST- KAMRUP(M), ASSAM

VERSUS

1:THE UNION OF INDIA AND 5 ORS
REP. BY THE SECRETARY, MIN OF HOME AFFAIRS, NEW DELHI- 110001

2:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECRETARY
HOME DEPTT
DISPUR
GUWAHATI- 06

3:THE SUPERINTENDENT OF POLICE (B)
KAMRUP (R)
ASSAM

4:THE ELECTION COMMISSION OF INDIA
NEW DELHI- 110001

5:THE COORDINATOR
NRC
ASSAM
GUWAHATI- 781005

6:THE DEPUTY COMMISSIONER
KAMRUP (M)
MG ROAD

PANBAZAR
GUWAHATI- 78100

Advocate for the Petitioner : MR H R A CHOUDHURY

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

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

O R D E R

04.09.2019

(Manojit Bhuyan, J)

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

List for Motion again on 06.11.2019, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of F.T. Case No.-FT(K(M)-4)969/2017 from the office of the Foreigners' Tribunal-4th, Kamrup(M) (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 Jaharul Ali shall not be taken into custody and deported from the territory of India, subject to the condition that he shall appear before the Deputy Commissioner of Police (Border), Kmarup(M), Guwahati, 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 Deputy Commissioner of Police (Border), Kmarup(M), Guwahati, 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