

GAHC010162392019



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

Case No. : WP(C) 4941/2019

1:SAMIR UDDIN
S/O-LATE ABDUL AJIJ, VILL- DAKHIN BHEDAUATI, P.S- DOBOKA, DIST-
HOJAI, ASSAM

VERSUS

1:THE UNION OF INDIA AND 7 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF INDIA,
HOME DEPTT, NEW DELHI- 1

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

3:THE FOREIGNERS TRIBUNAL
NAGAON COURT NO. 10 AT SANKARDEV NAGAR
DIST- HOJAI
ASSAM
PIN- 782435

4:THE DEPUTY COMMISSIONER
HOJAI
ASSAM
P.O- SANKARDEV NAGAR
DIST- HOJAI
ASSAM
PIN- 782442

5:THE SUPERINTENDENT OF POLICE (B)
HOJAI
ASSAM
PIN- 782442

6:THE OFFICER IN CHARGE
DOBOKA P.S
P.O DOBOKA
DIST- HOJAI
ASSAM
PIN- 782440

7:THE ELECTION COMMISSIONER OF INDIA
NEW DELHI- 110001

8:THE STATE COORDINATOR
NRC
BHANGAGARH
GUWAHATI- 0

Advocate for the Petitioner : MD. A J ATIA

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

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

ORDER

11.09.2019

(Manojit Bhuyan, J.)

Heard Md. A.J. Atia, 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 to 6. Ms. A. Borgohain, learned counsel represents respondent no.7 and Ms. A. Verma, learned counsel appears for respondent no.8.

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 F.T. (D) Case No. 1428/2015 from the office of the Foreigners' Tribunal, Nagaon Court No. 10th at Sankardev Nagar, Hojai, 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 Md. Samiruddin shall not be taken into custody and deported from India, subject to the condition that he shall appear before the Superintendent of Police (Border), Hojai 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), Hojai 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