

GAHC010167232019



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

Case No. : WP(C) 5106/2019

1:PARITOSH SARKAR @ PARITUCH SARKAR
S/O LT. AKHIL SARKAR @ AKHIL CH. SARKAR, R/O VILL- PAKBIL
(KHELMATI), P.S- RANGAPARA (NOW CHARIDUAR), DIST- SONITPUR,
ASSAM

VERSUS

1:THE UNION OF INDIA AND 7 ORS.
REPRESENTED BY THE SECRETARY, HOME AFFAIRS, NEW DELHI, DELHI-
01

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-6

3:THE ELECTION COMMISSION OF INDIA
NEW DELHI-01

4:THE SPECIAL COUNSEL FOR NRC
GOVT OF ASSAM
GUWAHATI-01

5:THE SPECIAL COUNSEL OF FOREIGNERS TRIBUNAL
GOVT OF ASSAM
GUWAHATI-01

6:THE SUPERINTENDENT OF POLICE
BORDER
SONITPUR
ASSAM
PIN-784001

7:OFFICE-IN-CHARGE
CHARIDUAR POLICE STATION
SONITPUR
ASSAM
PIN-784001

8:THE DEPUTY COMMISSIONER
DIST- SONITPUR
ASSAM
PIN-78400

Advocate for the Petitioner : MR. R C DAS

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

order

Date : 23-09-2019

(Manojit Bhuyan, J)

Heard Mr. S.C. Das, 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, 5, 6, 7 and 8. Ms. B. Das, learned counsel represents respondent no. 3 whereas Ms. A. Verma, learned counsel appears for respondent no. 4.

List for Motion again on 20.11.2019, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of Case No. FT 335/2016 from the office of the Foreigners' Tribunal 7th, Tezpur at Balipara.

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 Paritosh Sarkar shall not be taken into custody and deported from India, subject to the condition that he shall appear before the Superintendent of Police (Border), Sonitpur 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), Sonitpur 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