

GAHC010174922018



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

Case No. : WP(C)/5466/2018

SMTI. ANJANA MANDAL
W/O- SHRI JITEN MANDAL, PERMANENT R/O- VILL- BAMUNIGAON, P.O.
AND P.S. JAKHALABANDHA, MOUZA SOTIAL, DIST- NAGAON, ASSAM,
PIN- 782136, PRESENTLY RESIDING AT VILL- HALADHI BARI, SILDUBI NO.
2, MOUZA- KAZIRANGA, PO HATIKHULI, P.S. BOKAKHAT, DIST-
GOLAGHAT, ASSAM, PIN- 785612

VERSUS

THE UNION OF INDIA AND 8 ORS.
REP. BY THE HOME SECY., MINISTRY OF HOME AFFAIRS, GOVT. OF
INDIA, NORTH BLOCK, CENTRAL SECRETARIAT, NEW DELHI- 110001

2:THE STATE OF ASSAM
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HOME DEPTT..
ASSAM SECRETARIAT
DISPUR
GHY-6

3:THE STATE COORDINATOR
NATIONAL REGISTER OF CITIZENS
ASSAM
1ST FLOOR
ACHYUT PLAZA
GHY- SHILLONG ROAD
BHANGAGARH
GHY
ASSAM
PIN- 781005

4:THE ELECTION COMMISSION OF INDIA

REP. BY THE CHIEF ELECTION COMMISSIONER
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI- 110001

5:THE ADDL. DIRECTOR GENERAL OF POLICE (BORDER)
ASSAM
ASSAM POLICE BORDER ORGANISATION
SRIMANTAPUR
GHY
ASSAM
PIN- 7810032

6:THE DY. COMMISSIONER
NAGAON DISTRICT
PO
PS AND DIST- NAGAON
ASSAM
PIN- 782001

7:THE DY. COMMISSIONER
GOLAGHAT DISTRICT
PO
PS AND DIST- GOLAGHAT
ASSAM
PIN- 785622

8:THE SUPERINTENDENT OF POLICE (BORDER)
NAGAON
ASSAM POLICE BORDER ORGANISATION
PO
PS AND DIST- NAGAON
ASSAM
PIN- 782001

9:THE SUPERINTENDENT OF POLICE (BORDER)
GOLAGHAT
ASSAM POLICE BORDER ORGANISATION
PO
PS AND DIST- GOLAGHAT
ASSAM
PIN- 78562

Advocate for the Petitioner : MR. P D NAIR, MR G ALAM,MR. H ROHMAN,MR. D NAG

Advocate for the Respondent : ASSTT.S.G.I., SC, NRC,SC, ELECTION COMMISSION.,SC, F.T

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 11.06.2025
(K.R. Surana, J)

Heard Mr. H. Rohman, learned counsel for the petitioner. Also heard Mr. A.K. Dutta, learned CGC; Mr. G. Sarma, learned standing counsel for the FT matters and NRC; Mr. M. Islam, learned counsel appearing on behalf of Mr. A.I. Ali, learned standing counsel for the ECI; and Mr. H.K. Hazarika, learned Additional Senior Govt. Advocate for the State respondent.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 20.03.2018, passed by the learned Member, Foreigner's Tribunal, Jorhat in Case No. FTG(D) 153/10, arising out of Police Enquiry No. 301/07, by which the petitioner was declared as an illegal migrant.

3. Having noticed that by order dated 14.08.2018, the Court had provided that until further orders, the petitioner shall not be arrested and she shall not be deported out of India, under the present circumstances prevailing in the State, the Court is inclined to provide that the petitioner, namely, Smti. Anjana Mandal shall appear before the Superintendent of Police (Border), Golaghat within 10 (ten) days from today during the office hours and shall furnish a bail bond of Rs. 5,000/- (Rupees five thousand only) with one solvent surety of the like amount to the satisfaction of the said authority. Further, the Superintendent of Police (Border), Golaghat is directed that on appearance of

the petitioner within the period indicated above, the biometrics of the iris of both eyes, the fingerprints of both hands and the photographs of the petitioner shall be obtained, whereafter, she shall be allowed to remain on bail.

4. On her appearance before the Superintendent of Police (Border), Golaghat, as directed above, the said authority shall obtain necessary information and documentation as required under the Rules from the petitioner for securing her presence.

5. On failure of the petitioner to appear before the Superintendent of Police (Border), Golaghat, the bail to the petitioner would stand lapsed.

6. List the matter in the week commencing 21st July, 2025.

JUDGE

JUDGE

Comparing Assistant