

GAHC010179342019



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

Case No. : WP(C) 5515/2019

1:ABDUL KADER
S/O- BISHA MIYA, VILL- ITARBHITA, P.S. HOWLY, DIST- BARPETA (ASSAM)

VERSUS

1:THE UNION OF INDIA AND 5 ORS
S/O- BISHA MIYA, VILL- ITARBHITA, P.S- HOWLY, DIST- BARPETA, ASSAM

2:THE ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI- 110001

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

4:THE STATE COORDINATOR
NRC
GS ROAD
BHANGAGARH
GUWAHATI- 781005

5:THE MEMBER
FOREIGNERS TRIBUNAL 10TH
BARPETA
ASSAM

6:THE SUPERINTENDENT OF POLICE(B)
BARPETA

ASSAM
78130

Advocate for the Petitioner : MR S M ABDULLAH P

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

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

O R D E R

30.10.2019

(Manojit Bhuyan, J)

Heard Mr. S. Hoque, learned counsel for the petitioner as well as Ms. G. Hazarika, learned counsel representing respondent no.1. Ms. B. Das, learned counsel represents respondent no.2 whereas Mr. A. Kalita, learned counsel representing respondent nos.3, 5, and 6. Ms. P. Choudhury, learned counsel appears for respondent no.4.

List for Motion again on 16.12.2019, 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.83/2017 from the office of the Foreigners' Tribunal (10th), Barpeta, 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 Abdul Kader shall not be taken into custody and deported from the territory of India, subject to the condition that he shall appear before the Superintendent of Police (Border), Barpeta, 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), Barpeta 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