

GAHC010179632025



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

Case No. : WP(C)/4781/2025

RIAJUL SHEIKH @ RIAZUL
S/O SAHAZAMAL SEIKH, R/O VILL- FEKAMARI PART-II, P.O.- FEKAMARI,
P.S.- SOUTH SALMARA, DIST- SOUTH SALMARA MANKACHAR, ASSAM,
PIN-783135

VERSUS

THE UNION OF INDIA AND 7 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY
OF HOME AFFAIRS, SHASTRI BHAWAN, TILOK MARG, NEW DELHI-1

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

3:THE DISTRICT COMMISSIONER
SOUTH SALMARA MANKACHAR
P.O.- FEKAMARI
DIST- SOUTH SALMARA MANKACHAR
ASSAM
PIN-783135

4:THE DEPUTY COMMISSIONER OF POLICE (B)
CITY
GUWAHATI
DIST- KAMRUP (M)
ASSAM
PIN-781005

5:THE SUPERINTENDENT OF POLICE (B)
SOUTH SALMARA
DIST- SOUTH SALMARA MANKACHAR
ASSAM
PIN-781005

6:THE STATE CO-ORDINATOR
NATIONAL REGISTRATION (NRC)
ASSAM
BHANGAGARH
GUWAHATI-07

7:THE ELECTION COMMISSIONER OF INDIA
NEW DELHI-1

8:THE ELECTORAL REGISTRATION OFFICER
SOUTH SALMARA MANKACHAR
DIST- SOUTH SALMARA MANKACHAR
ASSAM
PIN-78313

Advocate for the Petitioner : MR. P K DEKA, MS. N M LONGKENG,R BORAH,J MEDHI,MR.
R. KARIM,MR. P DAIMARY

Advocate for the Respondent : DY.S.G.I., SC, F.T,SC, NRC,SC, ECI,GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 24.09.2025
(K.R. Surana, J)

Heard Mr. P.K. Deka, learned counsel for the petitioner. Also heard Mr. H.

Gupta, learned CGC; Mr. M. Islam, learned counsel on behalf of Mr. A.I. Ali, learned standing counsel for the ECI; Ms. A. Verma, learned standing counsel for the FT matters and NRC; and Mr. P. Sarmah, learned Additional Senior Govt. Advocate for respondent.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 28.08.2019, passed by the learned Member, Foreigners Tribunal Kamrup (M) 2nd, Guwahati-3, in F.T. Case No. 114/2017, by which the petitioner was declared as an illegal migrant.

3. In view of inordinate delay of 6 (six) years in assailing the impugned opinion, keeping the issue of maintainability, issue notice returnable on 31.10.2025.

4. Let the relevant records be called for from the concerned Foreigners Tribunal by usual process as well as through e-mail at the following e-mail addresses of the learned Tribunal:-

ranjankumarbharali@rediffmail.com

ftkamrupmetro.2ndnew@gmail.com

5. Requisite extra copies of the writ petition be furnished to the learned counsel for the respondents within 2 (two) working days.

6. Prayer for bail shall be considered on receipt of records.

7. In the meanwhile, if the petitioner namely, Riajul Sheikh @ Riazul, is apprehended, he shall not be deported out of the Country without the order of the Court.

8. The petitioner shall cause production of a certified copy of this order to the Deputy Commissioner of Police (B), City, Guwahati to bring the said order to the notice of the said authority.

9. List on 31.10.2025.

JUDGE

JUDGE

Comparing Assistant