

GAHC010181202025



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

Case No. : WP(C)/4918/2025

SAMIRAN NESSA
D/O ABDUL SAMAD, W/O SHAHJAHAN, R/O VILL- BHATNAPAITYCHOR,
P.S.- BARPETA ROAD, DIST- BARPETA, ASSAM

VERSUS

THE UNION OF INDIA AND 5 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF HOME AFFAIRS, NEW DELHI-110001

2:THE ELECTION COMMISSION OF INDIA
REPRESENTED BY THE CHIEF ELECTION COMMISSIONER
NEW DELHI-110001

3:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
HOME AND POLITICAL (B) DEPARTMENT
DISPUR
GUWAHATI-781006

4:THE STATE COORDINATOR
NATIONAL REGISTER OF CITIZENS
ASSAM
BHANGAGARH
GUWAHATI-781004

5:THE DISTRICT COMMISSIONER
BARPETA
ASSAM-781301

6:THE SUPERINTENDENT OF POLICE (B)
BARPETA

ASSAM-78130

Advocate for the Petitioner : MS. D GHOSH, MS N DEKA,MR A.K. HAJONG,MR. S. K. CHAKMA,MR I CHAKMA

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

BEFORE

HON'BLE MR. JUSTICE KALYAN RAI SURANA

HON'BLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

29.08.2025

(Rajesh Mazumdar, J.)

Heard Ms D Ghosh, learned counsel for the petitioner. Also heard Mr M R Adhikari, learned CGC; Ms A Verma, 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 P Sarmah, 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 05.12.2018, passed by the learned Member, Foreigners' Tribunal-No. 6, Barpeta, in FT Case No. 400/2015, arising out of Reference F.T. Case No. 132/B/98, by which the petitioner was declared as an illegal migrant of post 25.03.1971 stream,

3. Issue notice, returnable on 17.10.2025.

4. Requisite extra copies of the writ petition be furnished to the learned counsel for the respondents within 3 (three) working days.

5. Let the relevant records be called for from the concerned Foreigners

Tribunal by usual process as well as by email at the following email address:

ft62017@gmail.com

6. The prayer for bail shall be considered on receipt of the Tribunal's record.
7. However, as the petitioner, namely, Samiran Nessa, has been detained since 20.12.2024, she shall not be deported out of the Country, if not already deported, without further orders of the Court.
8. The petitioner shall cause production of a certified copy of this order before the In-Charge, Transit Camp, Matia, to bring the order to the notice of the said authority.
9. List on 17.10.2025.

JUDGE

JUDGE

Comparing Assistant