

GAHC010195752019



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

Case No. : WP(C)/1558/2020

ABDUL HUSSAIN
S/O AMEER, R/O VILL. RACHIM NANBOR, P.S. KAMRUP, DIST. NAGAON,
ASSAM

VERSUS

THE UNION OF INDIA AND 7 ORS.
REP. BY THE SECRETARY MINSITRY OF HOME AFFAIRS, NEW DELHI-1

2:THE ELECTION COMMISSION OF INDIA
NEW DELHI

3:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECRETARY TO THE HOME DEPTT.
DISPUR
GUWAHATI-6

4:THE SUPERINTENDENT OF POLICE(B) NAGAON
DIST. NAGAON
ASSAM

5:THE FOREIGNERS REGISTRATION OFFICER
NAGAON
DIST. NAGAON
ASSAM

6:THE NATIONAL REGISTER OF CITIZEN
NAGAON
DIST. NAGAON
ASSAM

7:THE OFFICER IN CHARGE

NAGAON
P.S. NAGAON
ASSAM

8:THE DEPUTY COMMISSIONER
NAGAON
DIST. NAGAON
ASSA

Advocate for the Petitioner : MR A SHARMA

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

BEFORE

**HON'BLE MR. JUSTICE N. KOTISWAR SINGH
HON'BLE MR. JUSTICE NANI TAGIA**

ORDER

17-03-2022

[N. Kotiswar Singh, JJ]

Heard Mr. A. Sharma, learned counsel for the petitioner.

Issue notice, returnable within 4(four) weeks.

Ms. L. Devi, learned counsel appearing on behalf of Mr. R.K. Dev Choudhury, learned Asstt. SGI, accepts notice for respondent no.1; Mr. G. Sarma, learned Special Counsel, F.T., accepts notice for respondent nos.4 & 7; Mr. A. Bhuyan, learned Standing Counsel, ECI, accepts notice for respondent No.2; Ms. L. Devi, learned Standing Counsel, NRC, accepts notice for respondent no.5 & 6 and Ms. K. Phukan, learned Judicial Government Advocate, Assam, accepts notice for respondent No.3 & 8.

No formal steps are called for in respect of the respondents, as they are duly represented. However, extra copies be furnished to learned counsel appearing for the respondents.

Registry will call for the records in respect of F.T. Case no.17/2015 from the Foreigners Tribunal no. 9th, Nagaon, Assam.

Learned counsel for the petitioner submits that the petitioner has not yet been detained on the strength of the impugned order dated 07.03.2019 passed in F.T. Case no.17/2015 from the Foreigners Tribunal no. 9th, Nagaon, Assam.

In that view of the matter, in the meantime, the petitioner, if not already arrested, may not be arrested. However, the petitioner shall appear before the Superintendent of Police (Border), Nagaon within 15(fifteen) days from today, who may obtain necessary information and documentation as required under the rules from the petitioner for securing his presence. On such appearance, the petitioner shall furnish a bail bond of Rs. 5,000/- (Rupees five thousand) with one local surety of the like amount to the satisfaction of the said authority, whereafter, the petitioner shall be allowed to remain on bail. The concerned Superintendent of Police (Border) shall also take steps for capturing the fingerprints of both hands and biometrics of the iris of the petitioner. The petitioner also shall not leave the jurisdiction of Nagaon district without furnishing the details of the place of destination and necessary information including contact number to the Superintendent of Police (Border), Nagaon.

List the matter for admission hearing immediately after receipt of records.

JUDGE

JUDGE

Comparing Assistant