

GAHC010208812025



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

Case No. : WP(C)/5566/2025

ZARINA BIBI @ JARINA BIBI @ JORIN NESA
D/O ZAMIR UDDIN PANDIT @ ZAMIR UDDIN SK @ ZAMINUDDIN @
JAMIRUDDIN SK, W/O BASTULLYA SK @ BACHATULLAH SK, VILL-
BOINAGURI, TISTARPAR, P.S.- DHUBRI, DIST- DHUBRI, ASSAM

VERSUS

THE UNION OF INDIA AND 4 ORS.
REPRESENTED BY THE SECRETARY TO THE MINISTRY OF HOME
AFFAIRS, GOVERNMENT OF INDIA, NEW DELHI, PIN-110001

2:ELECTION COMMISSION OF INDIA
REPRESENTED BY CHIEF ELECTION COMMISSIONER OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI-110001

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

4:THE DISTRICT COMMISSIONER
DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

5:THE SUPERINTENDENT OF POLICE (B)
DHUBRI

DIST- DHUBRI
ASSAM
PIN-78330

Advocate for the Petitioner : MR. S ISLAM, A R MONDAL, MR A HAWARI

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

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

ORDER

22.09.2025

(K.R. Surana, J)

Heard Mr. S. Islam, learned counsel for the petitioner as well as Ms. A. Verma, learned standing counsel for the Foreigners Tribunal, Ms. N. Bedi, learned standing counsel for the Election Commission of India, Ms. B. Sarma, learned CGC and Mr. P. Sharma, learned Addl. Senior Govt. Advocate.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 09.09.2021, passed by the learned Member, Foreigners' Tribunal No.1, Dhubri, in F.T. Case No. 2609/D/11, arising out of Police Reference I.M.(D)T Case No. 391/99, by which the petitioner was declared as an illegal migrant.

3. In view of the inordinate delay in assailing the impugned opinion, keeping the issue of maintainability open, issue notice returnable on 31.10.2025.

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

aparupadas1982 @gmail.com

6. The prayer for bail shall be considered on receipt of the records from the learned Tribunal.

7. In the meanwhile, if the petitioner, namely, Zarina Bibi @ Jarina Bibi @ Jorin Nesa is apprehended, she shall not be deported out of the Country without order of the Court.

8. List the matter on 31.10.2025.

JUDGE

JUDGE

Comparing Assistant