

GAHC010211762025



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

**Case No. : W.P.(Crl.)/81/2025**

FARID ALI  
SON OF MAHIB ALI, VILLAGE- BARPATHAR, P.S. BARPPATHAR, DIST.-  
GOLAGHAT, ASSAM, PIN- 785602

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,  
HOME DEPARTMENT, DISPUR, GUWAHATI, PIN- 781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
HOME DEPARTMENT  
DISPUR  
GUWAHATI  
PIN- 781006

3:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ULUBARI  
GUWAHATI  
PIN- 781007

4:THE DISTRICT COMMISSIONER  
DIST. GOLAGHAT  
ASSAM  
PIN- 785621

5:THE SUPERINTENDENT OF POLICE  
GOLAGHAT  
DISTRICT- GOLAGHAT  
ASSAM  
PIN- 785621

6:THE SPECIAL DIRECTOR GENERAL OF POLICE (BORDER)  
ASSAM  
ASSAM POLICE HEADQUARTERS  
ULUBARI  
GUWAHATI  
PIN- 781007

7:THE OFFICER-IN-CHARGE  
GOLAGHAT POLICE STATION  
DIIST. GOLAGHAT  
ASSAM  
PIN- 78562

**Advocate for the Petitioner** : MR. A M AHMED, MRS S RAHANA,B DAS,P. GHOSH

**Advocate for the Respondent** : GA, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE KALYAN RAI SURANA**  
**HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER**

**ORDER**

**05.12.2025**

*(K.R. Surana, J)*

Heard Mr. A.M. Ahmed, learned counsel for the petitioner as well as Ms. A. Verma, learned standing counsel for the Foreigners Tribunal, Ms. K. Bhattacharya, learned counsel appearing on behalf of Ms. S. Katakey, learned standing counsel for the Election Commission of India, Mr. S.K. Medhi, learned CGC, Mr. G. Sarma, learned standing counsel for the NRC and Mr. P. Sarma, learned Addl. Senior Govt. Advocate.

2. This writ petition filed under Article 226 of the Constitution of India and it is projected that the father of the petitioner namely, Mahib Ali was taken into custody on 25.05.2025 from his residence and thereafter the whereabouts of the petitioner is not known. It is also projected that after the detention of the

father of the petitioner, information was gathered that by virtue of an *ex parte* opinion dated 22.06.2012 passed by the learned Member, Foreigners Tribunal, Golaghat, in Case No. FTG. 519/07, corresponding to IM(D)T Police Case No. 67/04, and was declared to be foreigner of post 25.03.1971 stream.

3. Accordingly, the Court is inclined to request the learned standing counsel for the Home and FT matters department to obtain instructions with regard to the whereabouts of the father of the petitioner namely, Mahib Ali who was a suspect by an *ex parte* opinion dated 22.06.2012 passed by the learned Member, Foreigners Tribunal, Golaghat, in Case No. FTG. 519/07, corresponding to IM(D)T Police Case No. 67/04, and was declared to be foreigner of post 25.03.1971 stream.

4. The opinion shall be obtained from the concerned authorities i.e. from the Home and Political (B) Department. The learned standing counsel for the FT and Border matters is permitted to send a downloaded copy of this order to the concerned authorities to obtain instructions.

5. The learned counsel for the petitioner shall provide a copy of the writ petition as well as soft copy of the writ petition to the learned standing counsel for the FT and Border matters in course of the day to obtain information.

6. List the matter on 10.12.2025.

**JUDGE**

**JUDGE**

**Comparing Assistant**