

GAHC010233472019



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

Case No. : WP(C) 7724/2019

1:PHULESA KHATUN
W/O- AZIMUDDIN, VILL- BHUYANBARI, UNDER P.S- LAHARIGHAT, DIST-
MORIGAON, ASSAM

VERSUS

1:THE UNION OF INDIA AND 7 ORS
REP. BY THE SECRETARY TO THE GOVT OF INDIA, MIN OF HOME
AFFAIRS, NEW DELHI-

2:THE ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI- 110001

3:THE STATE OF ASSAM
REP. BY COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
HOME DEPTT
DISPUR
GUWAHATI- 781006

4:THE STATE COORDINATOR
NRC
G S ROAD
BHANGAGARH
GUWAHATI- 05

5:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI- 781007

6:THE SUPERINTENDENT OF POLICE (B)
MORIGAON

DIST- MORIGAON
ASSAM

7:THE DEPUTY COMMISSIONER
DIST- MORIGAON
ASSAM

8:THE OFFICER IN CHARGE
LAHARIGHAT PS
DIST- MORIGAON
ASSA

Advocate for the Petitioner : MR. B K DAS

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

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

24.02.2020

(Manojit Bhuyan, J)

Heard Mr. B.K. Das, learned counsel for the petitioner as well as Ms. G. Hazarika, learned counsel representing respondent no. 1. Ms. B. Das, learned counsel represents respondent no. 2. Mr. J. Payeng, learned counsel represents respondent nos. 3,5,6,7 and 8 whereas Ms. A. Verma, learned counsel appears for respondent no. 4.

List for Motion again on 06.04.2020, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of Case No. F.T. 1778/12 from the Office of the Foreigners Tribunal (2nd), Morigaon, Assam.

A copy of this order requisitioning the case records and the Forwarding Letter by which the case records are sent to this Court be made part of the record file of the Tribunal.

Until the next date, as an interim measure, the petitioner Musstt. Phulesa Khatun shall

not be taken into custody and deported from India, subject to the condition that she shall appear before the Superintendent of Police (Border), Morigaon within 15 (fifteen) days from today and furnish a bail bond of Rs.5,000/- with one local surety of the like amount to the satisfaction of the said authority. A direction is also made to the Superintendent of Police (Border), Morigaon that as and when the petitioner appears within the period indicated above, the biometrics of the iris of both eyes, the fingerprints of both hands and photograph of the petitioner shall be obtained, whereafter she shall be allowed to remain on bail.

This order be brought to the notice of the Registrar (Judicial).

JUDGE

JUDGE

Comparing Assistant