

GAHC010237042019



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

Case No. : WP(C) 7721/2019

1:SAMSUL HOQUE
S/O LATE AMSER ALI, R/O VILL-SHLOCHIGAON, MOUZA-MANDIA, P.S.-
BAGHBAR, DIST-BARPETA, ASSAM

VERSUS

1:THE UNION OF INDIA AND 5 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY
OF HOME AFFAIRS, SHASTRI BHAWAN, NEW DELHI-1

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-6

3:THE DEPUTY COMMISSIONER
BARPETA
P.O. AND DIST-BARPETA
ASSAM
PIN-781301

4:THE SUPERINTENDENT OF POLICE (B)
BARPETA
P.O. AND DIST-BARPETA
PIN-781301

5:THE ELECTION COMMISSION OF INDIA
NEW DELHI
TO BE REPRESENTED BY CHIEF ELECTION COMMISSIONER OF INDIA
NEW DELHI-1

6:THE STATE COORDINATOR OF NATIONAL REGISTRATION

ASSAM
BHANGAGARH
LACHIT NAGAR
GUWAHATI-

Advocate for the Petitioner : MR. N HAQUE

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. N. Haque, learned counsel for the petitioner as well as Ms. G. Hazarika, learned counsel representing respondent no.1. Also heard Mr. J. Payeng, learned counsel represents respondent nos.2, 3 and 4; Ms. B. Das, learned counsel represents respondent no.5 and Ms. A. Verma, learned counsel for respondent no.6.

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 FT Case No.277/2016 from the office of the Foreigners' Tribunal No.4th, Barpeta.

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.

As an interim measure, the petitioner Samsul Hoque shall not be taken into custody and deported from the territory of India, subject to the condition that he shall appear before the Superintendent of Police (Border), Barpeta, 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), Barpeta 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 he shall be allowed to remain on bail.

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

JUDGE

JUDGE

Comparing Assistant