

GAHC010242352019



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

Case No. : WP(C) 7764/2019

1:BHAILA KHATUN @ RAYELA KHATUN
D/O- BABU KHAN @ BANDU KHAN, W/O- MANIK KHAN @ MANIKJAN,
R/O- VILL- GOMA, P.S- TARABARI, DIST- BARPETA, ASSAM, PIN- 781301

VERSUS

1:THE UNION OF INDIA AND 5 ORS
REP. BY THE SECRETARY TO THE MIN OF HOME AFFAIRS, GOVT OF
INDIA, SHASTRI BHAWAN, TILOK MARG, NEW DELHI- 01

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

3:THE DEPUTY COMMISSIONER
BARPETA
ASSAM
PIN- 781301

4:THE SUPERINTENDENT OF POLICE (B)
BARPETA
ASSAM
PIN- 781301

5:THE ELECTION COMMISSIONER OF INDIA
NEW DELHI- 01

6:THE STATE COORDINATOR
NRC
ASSAM
BHANGAGARH
GUWAHATI-

Advocate for the Petitioner : MR. A R SIKDAR

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

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

ORDER

26.02.2020

(Manojit Bhuyan, J.)

Heard Mr. A. R. Sikdar, the learned counsel appearing for the petitioner. Also heard Ms. G. Hazarika, the learned counsel representing respondent no.1; Ms. B. Das, the learned counsel for the respondent no.5, Mr. A. Kalita, the learned Standing Counsel, Foreigners Tribunal, representing respondent nos.2, 3, and 4 and Ms. U. Das, the learned Standing Counsel, NRC, for respondent no.6.

List for Motion again on 22.04.2020, as we are propose to examine the case records at the first instance.

Office to requisition the case records in respect of F.T. Case No.295/2016 corresponding to R/IM(D)T Case No.7036/98 from the office of Foreigners Tribunal No.7, 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 Rayala Khatun shall not be taken into custody and deported from the territory of India, subject to the condition that she shall appear before the Superintendent of Police (Border), Barpeta, Assam 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, Assam 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