

GAHC010247062019



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

Case No. : WP(C)/7889/2019

MOHIRUDDIN @ MOHUR UDDIN @ MOHIR UDDIN SHEIKH
S/O- LATE RAHMAN ALI MISTRI @ RAKMAN MISTRI @ RAHMAN MISTRI,
R/O.-VILL- JHELTURCHAR PT-II, P.O. KAZAIKATA, P.S.- BILASIPARA, DIST-
DHUBRI, ASSAM, PIN- 783348.

VERSUS

THE UNION OF INDIA AND 10 ORS.
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS, GOVT. OF INDIA,
NEW DELHI-01.

2:THE CHIEF ELECTION COMMISSIONER OF INDIA
NEW DELHI-01.

3:THE STATE OF ASSAM
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
DISPUR
GHY-06.

4:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GHY-06.

5:THE STATE CO-ORDINATOR
NRC
ASSAM
BHANGAGARH
GUWAHATI-05.

6:THE DIRECTOR GENERAL OF POLICE
ASSAM

ULUBARI
GUWAHATI-05.

7:THE SUPERINTENDENT OF POLICE (B)
DHUBRI
DIST- DHUBRI
ASSAM. PIN- 783301.

8:THE DEPUTY COMMISSIONER
DHUBRI
DIST- DHUBRI
ASSAM. PIN- 783301.

9:THE OFFICER-IN-CHARGE
BAGRIBARI POLICE STATION
DIST- DHUBRI
ASSAM. PIN- 783349.

10:THE OFFICER-IN-CHARGE
BILASIPARA POLICE STATION
DIST- DHUBRI
ASSAM. PIN- 783348.

11:THE ELECTORAL REGISTRATION OFFICER
26TH BILASIPARA WEST LAC
DIST- DHUBRI
ASSAM
PIN- 783348

Advocate for the Petitioner : MR. M HUSSAIN, MD. A. RASHID

Advocate for the Respondent : ASSTT.S.G.I., SC, ECI,SC, F.T,SC, NRC

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

01.04.2026

(K.R. Surana, J)

Both sides are represented.

2. The learned counsel for the petitioner has referred to the enquiry report as well as the reference by the Superintendent of Police (Border), Dhubri, which refers to the conclusion of the referral authority that the suspect does not appear to be a foreigner. However, the reference was forwarded to the Foreigners Tribunal, Dhubri.

3. Mr. J. Payeng, learned standing counsel for the FT and Border matters has submitted that the records reveal that the case of the petitioner was registered as "D" voter case No. 193/D/06. Accordingly, it is submitted that reference made by the Electoral Registration Officer has to be referred to Foreigners Tribunal, however, it is submitted that the records does not have the reference made by the Electoral Registration Officer.

4. Accordingly, as prayed for, Mr. J. Payeng, the learned standing counsel for FT and Border Matters is given the custody of the Tribunal's records, so as to enable him to make an attempt to obtain instructions regarding the reference made by the Electoral Registration Officer.

5. Upon instructions, Mr. M. Hussain, learned counsel for the petitioner has submitted that the petitioner, namely, Mohiruddin @ Mohur Uddin @ Mohir Uddin Sheikh has expired. However, he prays for some time to obtain

appropriate instructions and to inform the Court and/or to file an appropriate application for impleading the legal representatives of the deceased.

6. Accordingly the matter stands adjourned today.

7. List again on 29.04.2026.

JUDGE

JUDGE

Comparing Assistant