

GAHC010253212019



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

Case No. : WP(C) 8152/2019

1: MALIKA KHATUN @ MALIKA BIBI
D/O. HAFIZUDDIN @ HABEJUDDIN, W/O. SOMEJ ALI, VILL. N.K.
DARRANGA, P.S. TAMULPUR, DIST. BAKSA (BTAD), ASSAM.

VERSUS

1: THE UNION OF INDIA AND 5 ORS.
THROUGH- THE SECRETARY, TO THE GOVT. OF INDIA, THE MINISTRY OF
HOME AFFAIRS, GRIBA MANTRALAYA, SHASTRI BHAWAN, TILAK MARG,
NEW DELHI-110001.

2: THE STATE OF ASSAM
THROUGH- THE COMM. AND SECY.
TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPTT.
DISPUR
GUWAHATI-781006.

3: THE ELECTION COMMISSION OF INDIA
REP. BY THE CHIEF ELECTION COMMISSIONER OF INDIA
NIRVACHAN SADAN ASHOKA ROAD
NEW DELHI-110001.

4: THE STATE CO-ORDINATOR
NATIONAL REGISTRATION OF CITIZEN
ASSAM
BHANGAGARH
GUWAHATI.

5: THE DY. COMMISSIONER
BAKSA
P.O. AND DIST. BAKSA (BTAD)
ASSAM.

6:THE SUPDT. OF POLICE (B)
P.O. AND DIST. BAKSA (BTAD)
ASSAM

Advocate for the Petitioner : MR. B CHOWDHURY

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

:: BEFORE ::

HON'BLE MR. JUSTICE MANOJIT BHUYAN

HON'BLE MR. JUSTICE SANJAY KUMAR MEDHI

O R D E R

20.03.2020

(Manojit Bhuyan, J)

Mr. B. Chowdhury, learned counsel for the petitioner as well as Ms. G. Hazarika, learned counsel representing respondent nos.1 and 4. Also heard Mr. A. Kalita, learned counsel for respondent nos.2, 5 and 6.

List for Motion again on 06.05.2020, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of F.T. Case No.2325/BAKSA/2016 from the office of the Foreigners' Tribunal, Baksa, Tamulpur, 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.

As an interim measure, the petitioner Musstt. Malika 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), Baksa, within 15 (fifteen) days from today and furnish a bail bond of ₹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), Baksa 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