

GAHC010256282019



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

Case No. : WP(C) 7934/2019

1:SUKURON NESA
D/O- HABEZUDDIN MOLLAH, W/O- AFZAL HAQUE, VILL- 36 SALMARA
PART-VII, P.S. FAKIRGANJ, DIST- DHUBRI, ASSAM

VERSUS

1:THE UNION OF INDIA AND 5 ORS.
REP. BY ITS SECY. OF THE MINISTRY OF HOME AFFAIRS, UNION OF INDIA,
NEW DELHI

2:THE STATE OF ASSAM
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GHY-6

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

4:THE STATE COORDINATOR OF NATIONAL REGISTER OF CITIZENS
ASSAM
1ST FLOOR
ACHYUT PLAZA
GHY SHILLONG ROAD
BHANGAGARH
GHY
ASSAM
PIN- 781005

5:THE DY. COMMISSIONER OF DHUBRI
AT DHUBRI

P.O.
P.S. AND DIST- DHUBRI
ASSAM
PIN-

6:THE SUPERINTENDENT OF POLICE (B)
DHUBRI AT DHUBRI
P.O.
P.S. AND DIST- DHUBRI
ASSAM
PIN

Advocate for the Petitioner : MR. J AHMED

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

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN
HONOURABLE MR. JUSTICE NANI TAGIA

ORDER

04.03.2020

(Manojit Bhuyan, J)

Heard Mr. J. Ahmed, learned counsel for the petitioner. Also heard Ms. G. Hazarika, learned CGC representing respondent no. 1; Ms. B. Das, learned standing counsel for Election Commission, representing respondent no. 3; Mr. A. Kalita, learned standing counsel for Foreigners Tribunal, representing respondent nos. 2, 5, 6, 7 & 8 and Ms. U. Das, learned standing counsel for NRC, representing respondent no. 4.

List for Motion again on 29.04.2020, 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. 1123/F/16 from the office of the Foreigners' Tribunal (2nd), Dhubri, 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 Sukuron Nesa shall not be taken into custody and deported from India, subject to the condition that she shall appear before the Deputy Commissioner, Dhubri 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 Deputy Commissioner, Dhubri 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