

GAHC010259752025



undefined

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

**Case No. : WP(C)/131/2026**

MUSST. JAHURA KHATUN  
D/O- LATE ABDUL JABBAR, W/O- JAINAL ABDIN ALIAS JAYNAL UDDIN,  
R/O- VILL.- KHUSRABARI, P.S. GOBARDHANA, DIST. BAKSA (BTAD),  
ASSAM

VERSUS

THE UNION OF INDIA AND 6 ORS  
REPRESENTED BY THE SECRETARY, MINISTRY OF HOME AFFAIRS,  
GOVERNMENT OF INDIA, SHASTRI BHAWAN, NEW DELHI- 110001.

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

3:THE ELECTION COMMISSION OF INDIA  
REPRESENTED BY THE CHIEF ELECTION COMMISSION  
NIRVACHAN SADAN  
ASOKA ROAD  
NEW DELHI- 110001.

4:THE STATE COORDINATOR  
NATIONAL REGISTRATION OF CITIZENS  
ASSAM  
1ST FLOOR ACHYUT PLAZA  
G S ROAD  
BHANGAGARH  
GUWAHATI-781005.

5:THE DISTRICT COMMISSIONER

BAKSA  
DISTRICT- BAKSA  
ASSAM  
PIN- 781372.

6:THE SUPERINTENDENT OF POLICE (BORDER)  
BAKSA  
P.O. AND DIST. BAKSA  
ASSAM  
PIN- 781372.

7:THE OFFICER-IN-CHARGE OF GOBARDHANA POLICE STATION  
P.O. GOBARDHANA  
DIST. BAKSA  
ASSAM  
PIN- 781372

**Advocate for the Petitioner** : MS. D GHOSH, MR I CHAKMA,MR A.K. HAJONG,MR. S. K. CHAKMA

**Advocate for the Respondent** : DY.S.G.I., SC, ECI,GA, ASSAM,SC, NRC,SC, F.T

**BEFORE**  
**HONOURABLE MR. JUSTICE KALYAN RAI SURANA**  
**HONOURABLE MR. JUSTICE ANJAN MONI KALITA**

**ORDER**

**Date : 09.01.2026**  
(K.R. Surana, J)

Heard Mr. A.K. Hajong, learned counsel for the petitioner. Also heard Ms. S. Baruah, learned CGC; Mr. A. Verma, learned standing counsel for the FT matters and NRC; Ms. S. Katakey, learned standing counsel for the ECI; and Mr. P. Sarmah, learned Additional Senior Govt. Advocate for the State respondent.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 26.04.2021, passed by the learned Member, Foreigners Tribunal, Baksa, in F.T. Case No. 122/BAKSA/2019, arising out of Police Ref. F.T. Case No.335/09, by which the

petitioner was declared as an illegal migrant.

3. In view of the inordinate delay in assailing the impugned order, keeping the issue of maintainability open, issue notice returnable on 11.02.2026.

4. Requisite extra copies of the writ petition be furnished to the learned counsel for the respondents in course of the day today.

5. Let the relevant records be called for from the concerned Foreigners Tribunal by usual process as well as by email at the following email address:

sarmabimal1973@gmail.com

6. The prayer for bail shall be considered on receipt of the Tribunal's record.

7. In the meanwhile, if the petitioner, namely, Musst. Jahura Khatun is apprehended, she shall not be deported out of the Country without the order of the Court.

8. The petitioner shall cause production of the certified copy of this order before the Superintendent of Police (Border), Baksa to bring the order to the notice of the said authority.

9. List on 11.02.2026.

**JUDGE**

**JUDGE**

**Comparing Assistant**