

GAHC010274252025



undefined

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

Case No. : WP(C)/255/2026

ABDUL LATIF ALIAS LATIF ALI ALIAS MD LATIB ALI
S/O- MOBARAK ALI @ MAKBAR ALI @ MAKBAR ALI SHEKH
(FATHER)AND HAMEDA KHATUN @ HAMEDA BIDHOB (MOTHER) ,
SURATJAN NESSA @ SURATJAN BIDHOB (STEP MOTHER),
VILL- SATBOINIRTUP, P.O- BALABHITHA, P.S- BARPETA ROAD, DIST-
BARPETA, ASSAM, PIN-781315, ASSAM
VERSUS
THE UNION OF INDIA AND ORS
REP. BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HOME
AFFAIRS, SHASTRI BHAWAN, NEW DELHI-01
2:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-06
3:THE ELECTION COMMISSION OF INDIA
NIRVACHAN BHAWAN
ASHOKA ROAD
NEW DELHI-01
4:THE STATE COORDINATOR
NRC
ASSAM
BHANGAGARH
GUWAHATI-05
5:THE DISTRICT COMMISSIONER
BARPETA
ASSAM
PIN-781301
6:THE SUPERINTENDENT OF POLICE (B)
BARPETA
ASSAM
PIN-78130

Advocate for the Petitioner : T UDDIN, MR M RAHMAN,MR. S AHMED

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

BEFORE

**HON'BLE MR. JUSTICE KALYAN RAI SURANA
HON'BLE MR. JUSTICE ANJAN MONI KALITA**

21.01.2026

(K.R.Surana, J)

Heard Mr. M. Khan, learned counsel for the petitioner. Also heard Ms. K. Phukan, learned CGC; Mr. G. Sarma, learned standing counsel for the NCR; Ms. A. Verma, learned standing counsel for FT matters; Mr. P. Sharma, learned Addl. Sr. Govt. Advocate, Assam and Ms. K. Bhattacharyya, learned counsel appearing on behalf of Ms. S. Katakey, learned standing counsel for the Election Commission of India.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned order dated 14.08.2025, passed by the learned Member, Foreigners' Tribunal, Bajali, in F.T. Case No. 627/2017, arising out of IM (D) T Case No.1323/02, thereby declaring the petitioner to be a foreigner of post 25.03.1971 stream.

3. Issue notice returnable in 4 (four) weeks.

4. Requisite extra copies of the writ petition be furnished to the learned counsel for the respondents within 2 (two) working days.

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

ft10barpeta@gmail.com

6. The prayer for bail is opposed by the learned standing counsel for the FT matters.

7. Considering the projection made in this writ petition, the Court is inclined to grant bail to the petitioner, namely, Abdul Latif Alias Latif Ali Alias Md. Latib Ali, by providing that if he has not already been detained in custody, he shall not be taken into custody and/ or deported from the territory of India, on condition that he shall appear before the Superintendent of Police (Border), Barpeta within 10 days from today during the office hours and shall furnish a bail bond of Rs.5,000/- (Rupees Five Thousand only) with one solvent surety of the like amount to the satisfaction of the said authority. Further, the Superintendent of Police (Border), Barpeta is directed that on appearance of the petitioner within the period indicated above, the biometrics of the iris of both eyes, the fingerprints of both hands and the photographs of the petitioner shall be obtained, whereafter, he shall be allowed to remain on bail.

8. On his appearance before the Superintendent of Police (Border), Barpeta, as directed above, the said authority shall obtain necessary information and documentation as required under the Rules from the petitioner for securing his appearance.

9. On failure of the petitioner to appear before the Superintendent of Police (Border), Barpeta, the bail to the petitioner would stand lapsed.

10. List the matter after 4 (four) weeks on receipt of the records.

JUDGE

JUDGE

Comparing Assistant