

GAHC010277372019



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

Case No. : WP(C) 8486/2019

1: MUCHA ALI @ MD. MUSA ALI
S/O- HEKIM ALI @ A. HEKIM @ A. HEKAN @ ABDUL HEKIM, R/O- VILL-
LELAIBORI, P.S. LAHORIGHAT, DIST- MORIGAON, ASSAM

VERSUS

1: THE UNION OF INDIA AND 6 ORS.
REP. BY THE SECY. TO THE GOVT. OF INDIA, MINISTRY OF HOME
AFFAIRS, NEW DELHI-1

2: THE ELECTION COMMISSION
INDIA
REP. BY THE CHIEF ELECTION COMMISSIONER
INDIA
NEW DELHI-01

3: THE STATE OF ASSAM
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GHY-06

4: THE STATE CO ORDINATOR
NRC
ASSAM
BHANGAGARH
GHY-5
PIN- 781005

5: THE DY. COMMISSIONER
MORIGAON
P.O. AND DIST- MARIGAON
ASSAM
PIN- 783380

6:THE SUPERINTENDENT OF POLICE (B)
MARIGAON
P.O. AND DIST- MORIGAON
ASSAM
PIN- 783380

7:THE OFFICER-IN-CHARGE
LAHARIGHAT P.S.
LAHARIGHAT
DIST- MORIGAON
PIN- 78338

Advocate for the Petitioner : MR. J AHMED

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

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA**

ORDER

Date : 04-05-2020

Suman Shyam, J

Heard Ms. A. Hussain, learned counsel for the petitioner. Also heard Ms. G. Hazarika, learned counsel appearing for the Union of India and NRC Coordinator, Mr. J. Payeng, learned standing counsel representing Foreigners' Tribunal and Border Police, Assam and Ms. B. Das, learned counsel for the Election Commission of India.

After hearing the learned counsel for the parties and on perusal of the impugned order passed by the learned Tribunal, we are inclined to examine the records.

Call for the LCR.

Registry to list the matter for motion immediately after receipt of the LCR.

Heard on the prayer of interim relief.

Having regard to the facts and circumstances of the case, we direct that the petitioner shall appear before the Superintendent of Police (Border), Marigaon within 04 weeks from today and submit a copy of this order.

Upon such appearance, the petitioner shall be released on furnishing a bond of Rs. 5000/- (Rupees Five Thousand) and one surety of like nature to the satisfaction of the concerned Superintendent of Police, subject to the further condition that the petitioner shall not leave the jurisdiction of the Superintendent of Police without his prior permission.

As a prudent measure, the Superintendent of Police may take steps for capturing the finger prints and biometrics of iris of the petitioner's eyeballs, if so advised.

List accordingly.

JUDGE

JUDGE

GS

Comparing Assistant