

GAHC010278242018



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

Case No. : WP(C) 6979/2019

1:MOJIBUR RAHMAN
S/O- SURAJ ALI, R/O- DOBOKA TOWN, WARD NO. 10, PO AND PS- DOBOKA,
DIST- HOJAI, ASSAM.

VERSUS

1:UNION OF INDIA AND 7 ORS.
TO BE REP. BY THE SECRETARY TO THE GOVT. OF INDIA, HOME DEPTT.,
NORTH BLOCK, NEW DELHI.

2:THE ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI
PIN- 110001.

3:THE STATE OF ASSAM
TO BE REP. BY COMMISSIONER AND SECRETARY TO THE GOVT. OF
ASSAM
HOME DEPTT.
DISPUR
GUWAHATI-06.

4:THE STATE CO-ORDINATOR OF NRC
ASSAM
BHANGAGARH
GUWAHATI-5.

5:ADDITIONAL DIRECTOR GENERAL OF POLICE
ASSAM (BORDER)
BHANGAGARH
GUWAHATI-05.

6:THE DEPUTY COMMISSIONER

HOJAI
SHANKARDEVNAGAR
ASSAM
PIN- 782435.

7:THE SUPERINTENDENT OF POLICE (BORDER)
HOJAI
ASSAM
PIN- 782435.

8:THE MEMBER
FOREIGNERS TRIBUNAL NO. 10
NAGAON
AT SANKAR DEV NAGAR
HOJAI
DIST- HOJAI
ASSAM. PIN- 782435

Advocate for the Petitioner : MR. N ISLAM

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

:: BEFORE ::

HON'BLE MR. JUSTICE MANOJIT BHUYAN

HON'BLE MR. JUSTICE SOUMITRA SAIKIA

O R D E R

20.12.2019

(Manojit Bhuyan, J)

Heard Ms. L. Wajeeda, learned counsel for the petitioner as well as Ms. G. Hazarika, learned counsel representing respondent no.1. Also heard Ms. B. Das, learned counsel for respondent no.2; Mr. J. Payeng, learned counsel for respondent nos.3, 5, 6, 7 and 8 and Ms. A. Verma, learned counsel for respondent no.4.

List for Motion again on 14.02.2020, as we propose to examine the case records at the first instance.

Office to requisition the case records in respect of F.T. (D) Case No.548/2015 from the office of the Foreigners' Tribunal, Nagaon-10th at Sankardev Nagar, Hojai, 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.

This order be brought to the notice of the Registrar (Judicial).

As an interim measure, the petitioner Md. Mojibur Rahman shall not be taken into custody and deported from the territory of India, subject to the condition that he shall appear before the Superintendent of Police (Border), Hojai, 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), Hojai 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 he shall be allowed to remain on bail.

JUDGE

JUDGE

Comparing Assistant