

GAHC010285222025



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

Case No. : WP(C)/7433/2025

RAJAB ALI alias RAJAP ALI
SON OF LT. KHADIM ALI KHADIM KHADEMAND LT. RUPJAN NESSA
RUPJAN,PERMANENT RESIDENT OF VILLAGE PAKABETBARI
PAM,MOUZA BETBARI,POLICE STATION BARPETA,DISTRICT BARPETA,
ASSAM,PIN 781352.

VERSUS

THE UNION OF INDIA AND OTHERS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
INDIA,MINISTRY OF HOME AFFAIRS,NEW DELHI 110001

2:THE ELECTION COMMISSION OF INDIA
REPRESENTED BY THE CHIEF ELECTION COMMISSIONER
NEW DELHI 110001

3:THE STATE OF ASSAM

REPRESENTED BY THE COMMISSIONER SECRETARY TO THE
GOVERNMENT OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI 781006

4:THE DISTRICT COMMISSIONER
BARPETA
ASSAM
PIN 781301

5:THE SUPERINTENDENT OF POLICE (B)
BARPETA
ASSAM
PIN 781301

6:THE COORDINATOR
NATIONAL REGISTER OF CITIZENS
BHANGAGHAR
GUWAHATI 4

Advocate for the Petitioner : MR A.K. HAJONG, MR SAURADEEP DEY,MR. D K AGARWALA,TAWHID LASKAR,SHAHANAWAZ CHOWDHURY

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

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 19.12.2025
(K.R. Surana, J)

Heard D.K. Agarwala, learned counsel for the petitioner. Also heard Ms. L. Devi, learned CGC; Mr. J. Payeng, learned Standing Counsel, FT; Mr. G. Sarma, learned Standing Counsel, NRC and Mr. P. Sarma, learned Additional Senior Government Advocate.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 16.09.2025, passed by the learned Member, Foreigners' Tribunal, No.1st, Barpeta, in FT Case No.690/18, arising out of IM(D)T Reference Case No. 6990/B/98.

3. Issue notice returnable on 28.01.2026.

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 usual process as well as by email at the following email address:

anurupadey2000 @gmail.com.

6. The prayer for bail is opposed by the learned standing counsel for the FT matters. However, in view of the projection made in this writ petition, the Court is inclined to grant bail to the petitioner, namely, Rajab Ali @ Rajap Ali, by providing that if he has not already been detained in custody, he shall not be taken into custody and deported from the territory of India, on condition that he shall appear before the Superintendent of Police (Border), Barpeta within 10 (ten) 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.

7. 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 presence.

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

9. List the matter on 28.01.2026 and/or on receipt of the Tribunal records.

JUDGE

JUDGE

Comparing Assistant