

GAHC010286932025



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

Case No. : WP(C)/165/2026

AKBAR ALI ALIAS AKABBAR ALI
S/O- LATE AMZAD ALI ALIAS AMZAD ALI SK., VILL.- KURSHAKATI, P.S.
KAZIGAON, DIST. KOKRAJHAR, ASSAM

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY
OF HOME AFFAIRS, SHASTRI BHAWAN, TRILOK MARG, NEW DELHI-
110001.

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-781006.

3:THE ELECTION COMMISSION OF INDIA
REPRESENTED BY THE CHIEF ELECTION COMMISSIONER
NEW DELHI-110001.

4:THE STATE COORDINATOR OF NATIONAL REGISTER OF CITIZENS
ASSAM 1ST FLOOR
ACHYUT PLAZA
GUWAHATI SHILLONG ROAD
BHANGAGARH
GUWAHATI
ASSAM
PIN- 781005.

5:THE DISTRICT COMMISSIONER OF KOKRAJHAR DISTRICT

KOKRAJHAR
P.O.
P.S. AND DIST.- KOKRAJHAR
ASSAM
PIN- 783370.

6:THE SUPERINTENDENT OF POLICE
KOKRAJHAR DISTRICT
KOKRAJHAR
P.O.
P.S. AND DIST. KOKRAJHAR
ASSAM
PIN- 783370

Advocate for the Petitioner : MR. A T SARKAR, S R DAS

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

09.01.2026

(K.R. Surana, J)

Heard Mr. A. T. Sarkar, learned counsel for the petitioner. Also heard Ms. S. Baruah, learned CGC; Mr. G. Sarma, learned standing counsel for the FT and Border matters; Ms. S. Katakey, learned standing counsel for the ECI; and Mr. H. K. Hazarika, learned 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 14.05.2018, passed by the learned Member, Foreigners' Tribunal, Kokrajhar, in Case No.K/FT/D/2682/12, arising out of R/IM(D)T C/No.1084/98, by which the petitioner was declared as an illegal migrant of post 25.03.1971 stream.

3. Issue notice returnable on 11.02.2026.

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 email at the following email address:

habiburrahman@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, Akbar Ali @ Akabbar Ali is apprehended, he shall not be deported out of the Country without the order of the Court.
8. The petitioner shall cause production of a certified copy of this order before the Superintendent of Police (Border), Kokrajhar to bring the order to the notice of the said authority.
9. List on 11.02.2026.

JUDGE

JUDGE

Comparing Assistant