

GAHC010288172025



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

Case No. : WP(C)/1006/2026

NUR HUSSAIN
SO LATE ABU SAYED KHANDAKAR ALIAS KHANDAKAR ABU SAYED, RO
VILL SONAHARA, PO KHARMUJA, PS BAGUAN, DIST GOALPARA, ASSAM,
PIN 783101

VERSUS

THE UNION OF INDIA AND OTHERS
REPRESENTED BY THE SECRETARY TO THE MINISTRY OF HOME
AFFAIRS, GOVT OF INDIA, SHASTRI BHAWAN, TILOK MARG, NEW DELHI-
01

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE HOME
DEPARTMENT
DISPUR
GUWAHATI 06

3:THE SUPERINTENDENT OF POLICE (B)
GOALPARA
PO AND DIST GOALPARA
ASSAM
PIN 783101

4:THE DISTRICT COMMISSIONER OF GOALPARA
PO AND PS AND DISTRICT GOALPARA
ASSAM
PIN 783101

5:THE ELECTION COMMISSIONER OF INDIA
NEW DELHI 01

6:THE STATE COORDINATOR OF NRC
ASSAM
HOUSEFED COMPLEX
2ND FLOOR
BANPHOOL NAGAR
DISPUR
GUWAHATI 0

Advocate for the Petitioner : MR. M H TALUKDAR, MD. S ALOM

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 SUSMITA PHUKAN KHAUND

ORDER

25.02.2026

(K.R. Surana, J)

Heard Mr. M. H. Talukdar, learned counsel for the petitioner. Also heard Mr. U. K. Goswami, learned CGC; Ms. A. Verma, learned standing counsel for the FT matters and NRC; Mr. A. I. Ali, learned standing counsel for the ECI; and Mr. P. Sarmah, learned Additional Senior Govt. Advocate for the State respondent.

2. It is projected in this writ petition that the petitioner namely, Nur Hussain was declared to be not a foreigner vide opinion dated 02.04.2011, passed by the learned Member, Foreigners' Tribunal-1st, Goalpara, in F.T. Case No. 2351/G/10, arising out (ERO's Case No. 357^{91/38}).

3. On receipt of a notice of the proceedings of Case No. FT (G-4) 1016/15 (old)/ FT (G-4) 1016/24 (new), arising out of Ref. FT Case No. 498/2010, from the learned Foreigners Tribunal-4th, Goalpara, the petitioner had filed a petition on 30.11.2024 for dismissing the subsequent proceeding on the

ground of *res judicata*. The said prayer was rejected vide order dated 23.04.2025 which is put to challenge in the present writ petition.

4. Issue notice returnable on 27.03.2026.

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

6. Let the relevant records of F.T. Case No. 2351/G/10, arising out (ERO's Case No. 357^{91/38}) and FT (G-4) 1016/15 (old)/ FT (G-4) 1016/24 (new), arising out of Ref. FT Case No. 498/2010 be called for from the learned Foreigners Tribunal-1st, Goalpara and the learned Foreigners Tribunal-4th, Goalpara through usual process as well as through the following email addresses:

das.pc2016@gmail.com

ft4glp@gmail.com

7. List the matter on 27.03.2026.

JUDGE

JUDGE

Comparing Assistant