

GAHC010288232018



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

Case No. : WP(C) 86/2019

1: BABOR ALI AND 7 ORS.

S/O LATE TAMIZ ALI @ TAMIZUDDIN, R/O. VILL- PACHIM BORKHAL, P.O.
KILLING VALLEY, P.S. JAGIROAD, PIN- 782410, DIST. MORIGAON, ASSAM.

2: MUSSTT. REJIA KHATUN @ RASIA KHATOON

W/O. MD. BABOR ALI
D/O ABDUL AZIZ
R/O. VILL- PACHIM BORKHAL
P.O. KILLING VALLEY
P.S. JAGIROAD
PIN- 782410
DIST. MORIGAON
ASSAM.

3: MD. SABUR ALI @ SUBUR ALI

S/O MD. BABOR ALI
R/O. VILL- PACHIM BORKHAL
P.O. KILLING VALLEY
P.S. JAGIROAD
PIN- 782410
DIST. MORIGAON
ASSAM.

4: MD. FAZAR ALI @ FAZUR ALI

S/O MD. BABOR ALI
R/O. VILL- PACHIM BORKHAL
P.O. KILLING VALLEY
P.S. JAGIROAD
PIN- 782410
DIST. MORIGAON
ASSAM.

5: MUSSTT. MUNU BEGUM @ MANOWARA BEGUM

D/O MD. BABOR ALI
R/O. VILL- PACHIM BORKHAL
P.O. KILLING VALLEY
P.S. JAGIROAD
PIN- 782410
DIST. MORIGAON
ASSAM.

6: MUSSTT. MOMINA BEGUM
D/O MD. BABOR ALI
R/O. VILL- PACHIM BORKHAL
P.O. KILLING VALLEY
P.S. JAGIROAD
PIN- 782410
DIST. MORIGAON
ASSAM.

7: MUSSTT. RAHILA BEGUM
D/O MD. BABOR ALI
R/O. VILL- PACHIM BORKHAL
P.O. KILLING VALLEY
P.S. JAGIROAD
PIN- 782410
DIST. MORIGAON
ASSAM.

8: RAHIMA BEGUM @ KHATOON
REP. BY HER FATHER
MD. BABOR ALI. R/O. VILL- PACHIM BORKHAL
P.O. KILLING VALLEY
P.S. JAGIROAD
PIN- 782410
DIST. MORIGAON
ASSAM

VERSUS

1:THE UNION OF INDIA AND 6 ORS.
REP. BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HOME
AFFAIRS, NEW DELHI-110001.

2:THE CHIEF ELECTION COMMISSIONER
ELECTION COMMISSION OF INDIA
ASHOKA ROAD
NEW DELHI- 110001.

3:THE STATE OF ASSAM
REP. BY ITS SECRETARY

GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GUWAHATI-6.

4:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI- 781007.

5:THE STATE COORDINATOR
OFFICE OF THE STATE COORDINATOR OF NATIONAL REGISTER OF
CITIZENS (NRC)
ASSAM
G.S. ROAD
BHANGAGARH
GUWAHATI- 781005.

6:THE DEPUTY COMMISSIONER
MORIGAON
DIST. MORIGAON
ASSAM
PIN- 782104.

7:THE SUPERINTENDENT OF POLICE (BORDER)
MORIGAON
DIST. MORIGAON
ASSAM
PIN- 78210

Advocate for the Petitioner : MR. K LAHKAR

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

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

Date : 23-01-2019

AM Bujor Barua, J

Heard Mr. K Lahkar, learned counsel for the petitioners. Also heard Mr. AI Ali, learned counsel for the Election Commission of India and Mr. J Payeng, learned counsel for the State

of Assam appearing for the Foreigners Tribunal and Border Areas, Ms. A Verma, learned standing counsel for the authorities under the NRC as well as Ms. G Sarma, learned counsel for the authorities under the Union of India.

Call for the records of FT Case No.849 of 2006 from the Foreigners Tribunal No.1, Morigaon.

Issue notice, returnable by six weeks.

Extra copies of the writ petition be served on the learned counsel for the respondents as indicated hereinabove within 3(three) days.

In the meantime, petitioners shall neither be arrested nor be deported.

It is further directed that the petitioners shall submit a security bond from two prominent persons of the village from which the petitioners hail and from any responsible Government Official ensuring the presence of the petitioners before the authorities as and when required.

List after six weeks.

JUDGE

JUDGE

Comparing Assistant