

GAHC010317962019



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

Case No. : WP(C) 381/2020

1:SAHERA KHATUN
W/O. AKBAR ALI, D/O. LT. SAMIRUDDIN @ SAMIRUDDIN MIYA, R/O. VILL.
BHALUKI, P.S. BARPETA ROAD, DIST. BARPETA, ASSAM, PIN-781315.

VERSUS

1:THE UNION OF INDIA AND 5 ORS.
REP. BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HOME
AFFAIRS, SHASTRI BHAWAN, TRILOK MARK, NEW DELHI-110001.

2:THE STATE OF ASSAM
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GUWAHATI-781006.

3:THE ELECTION COMMISSIONER OF INDIA
THROUGH ITS SECRETARY
NIRBACHAN BHAWAN
NEW DELHI-01.

4:THE STATE CO-ORDINATOR
NATIONAL REGISTER OF CITIZENS (NRC)
ASSAM
BHANGAGARH
GUWAHATI-781005.

5:THE DY. COMMISSIONER OF BARPETA
P.O. AND P.S. BARPETA
DIST. BARPETA
ASSAM
PIN-781301.

6:THE SUPDT. OF POLICE (B) BARPETA

P.O. AND DIST. BARPETA
ASSAM
PIN-781301

Advocate for the Petitioner : MR. A HUSSAIN

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

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

26.05.2020

Suman Shyam, J.

Heard Mr. A. Hussain, learned counsel appearing for the writ petitioner. We have also heard Mr. U. K. Nair, learned Senior Standing Counsel, FT and Standing Counsel, Border Police, Assam. Ms. G. Hazarika, learned Central Govt. Counsel, has appeared for the Union of India as well as the NRC Coordinator and Ms. B. Das, learned counsel, has appeared for the Election Commission of India.

Before passing any further order in this case on merit, we propose to examine the records.

Call for the LCR in connection with Case No.203/2017 from the Foreigners' Tribunal [9th], Barpeta.

List this case for motion immediately after receipt of the LCR.

Heard on the prayer of interim relief.

Having regard to the facts and circumstances of the case, we direct the

petitioner to appear before the Superintendent of Police (Border), Barpeta, within four weeks from today. On such appearance, the petitioner may be released on furnishing a bond of Rs.5000/- (Rupees Five Thousand) with one surety to the satisfaction of the concerned Superintendent of Police. The concerned Superintendent of Police may also take steps for capturing the finger prints and biometric of iris of the petitioner's eye balls, if so advised.

JUDGE

JUDGE

Comparing Assistant