

ITEM NO.4

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 1045/2018

HARSH MANDER

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ANR.

Respondent(s)

Date : 09-04-2019 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE DEEPAK GUPTA  
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) Mr. Prashant Bhushan, AOR  
Ms. Cheryl D'Souza, Adv.  
Ms. Alice Raj, Adv.  
Mr. Omanakuttan, Adv.

For Respondent(s) Mr. Tushar Mehta, S.G.  
Ms. Aishwarya Bhati, Sr. Adv.  
Ms. Binu Tamta, Adv.  
Ms. Shraddha Deshmukh, Adv.  
Mr. B. V. Balaram Das, AOR

Mr. Tushar Mehta, Sr. Adv.  
Mr. Shuvodeep Roy, AOR  
Mr. Rajat Nair, Adv.  
Mr. Rijuk Sarkar, Adv.  
Ms. Manreet Kaur, Adv.  
Mr. Alok Kumar, Chief Secy., Govt. of Assam  
Mr. Ashutosh Agnihotri, Commissioner-cum-Secy.,  
Govt. of Assam

For applicant Ms. Uttara Babbar, Adv.  
Mr. Manan Bansal, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

After some interaction with the Chief Secretary of the State of Assam a request has been made by Shri Tushar Mehta,

learned Solicitor General, that the matter be considered on 25.04.2019.

We accept the said request and fix the matter for further consideration on 25.04.2019 at 3:00 p.m.

We request Shri Prashant Bhushan, learned counsel for the petitioner, to make available to the Chief Secretary of the State of Assam a copy of the additional affidavit filed on behalf of the petitioner on 01.04.2019. The contents of the said affidavit must be understood in the manner in which the Court has taken and proceeded, namely, an attempt to suggest ways and means by which functioning of the Foreigners' Tribunal in the State of Assam can be improved. The Chief Secretary would respond to the contents of the said affidavit on or before the next date fixed on which date he has undertaken to be personally present.

We also request Shri Gourab Banerji, senior member of the Bar, to assist the Court in the matter so far as detection and deportation of foreigners are concerned.

Office to furnish copies of the writ petition including the Orders passed by the Court, the affidavit(s) of the Union of India, the affidavit(s) filed by the State of Assam as well as the additional affidavit(s) filed by the petitioner to Shri Banerji within three days.

The specific response of the State Government with regard to measures which could be adopted for release of detenues who are now lodged in detention centres, particularly those who have so detained for a long period will be laid before the Court by the Chief Secretary, after a full and complete discussion with all

concerned authorities in the State as well as the Union Government.  
The said affidavit will be filed on or before 23.04.2019.

(SUSHIL KUMAR RAKHEJA)  
AR CUM PS

(ANAND PRAKASH)  
BRANCH OFFICER