

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 428 OF 2017
(Arising out of SLP (C)No. 13729 of 2016)

AMIR HUSSAIN (HUSEN)

... Appellant

VERSUS

UNION OF INDIA AND ORS.

... Respondents

O R D E R

Leave granted.

Since the Foreigners Tribunal had decided the matter ex-parte and the petitioner has provided some justification for non-appearance before the Tribunal, we are of the opinion that the petitioner be given one more chance to adduce evidence in support of his case. The petitioner shall, however, be allowed to adduce that evidence only which is made subject matter of these proceedings.

The Tribunal is requested to decide the matter within three months during which period, the petitioner shall remain in custody.

The impugned order is, thus, set aside and the appeal is allowed in the aforesaid manner.

....., J.
[A.K. SIKRI]

....., J.
[R.K. AGRAWAL]

New Delhi;
January 13, 2017.

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

Petition(s) for Special Leave to Appeal (C) No. 13729/2016

(Arising out of impugned final judgment and order dated 10/12/2015 in WPC No. 5896/2015 passed by the High Court of Gauhati)

AMIR HUSSAIN (HUSEN)

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(With interim relief and office report)

Date : 13/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s) Mr. Shakil Ahmed Syed, Adv.
Mohd. Parvez Dabas, Adv.
Mr. Uzmi Jameel Husain, Adv.
Mr. Milan Laskar, Adv.

For Respondent(s) Mr. P. S. Narasimha, ASG.
Ms. V. Mohana, Sr. Adv.
Mr. Arijit Prasad, Adv.
Ms. Sunita Rani Singh, Adv.
Mr. B. Krishna Prasad, Adv.
Mr. Rana Mukherjee, Adv.
Mr. Piyush Bhardwaj, Adv.
Ms. Shikha Kumari, Adv.

Mr. Shuvodeep Roy, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed order.

(Nidhi Ahuja)
Court Master

(Mala Kumari Sharma)
Court Master

[Signed order is placed on the file.]