

ITEM NO.6

COURT NO.2

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No.1237/2020

(Arising out of impugned final judgment and order dated 20-04-2010 in WA No.92/2010 passed by the Gauhati High Court)

ABDUS SAMAD

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With I.R. and IA No.19544/2020-CONDONATION OF DELAY IN FILING and IA No.19549/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.19547/2020-EXEMPTION FROM FILING O.T.)

Date : 26-09-2022 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Ms. Rajkumari Banju, AOR
Ms. Jayshree Satpure, Adv.
Ms. Tripti Poddar, Adv.

For Respondent(s) Ms. Aishwarya Bhati, ASG
Mr. Akshay Amritanshu, Adv.
Ms. Swati Ghildiyal, Adv.
Ms. Diksha Rai, Adv.
Mr. A.K. Sharma, Adv.

Mr. Shuvodeep Roy, Adv.
Mr. Arnab Singhdeo, Adv.

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

- 1 There is a delay of 3462 days in challenging the order of the Gauhati High Court dated 20 April 2010 dismissing the writ petition seeking to impugn the order of the Foreigners' Tribunal.
- 2 On 7 February 2020, the petitioner was granted time to file additional documents. The petitioner has filed an affidavit stating that he suffers from severe locomotor disability (80% and above) and relies on the certificate annexed at Annexure P-12 of the Special Leave Petition. The petitioner has also relied upon certain documents at Annexures P-1 and P-2 allegedly in respect of his father and mother which pertain to NRC 1951 and the voter's list of 1966.
- 3 Issue notice on the application for condonation of delay in filing the petition and on the Special Leave Petition, returnable in three months..
- 4 Ms Aishwarya Bhati, Additional Solicitor General and Mr Shuvodeep Roy, counsel appear on behalf of the Union of India and the State of Assam respectively and waive service.
- 5 A copy of the petition be served on the counsel for the Union of India and counsel for the State of Assam.
- 6 Counter affidavit be filed within a period of six weeks.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar