

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

Petition(s) for Special Leave to Appeal (C) No. 23950/2016
(Arising out of impugned final judgment and order dated 16/06/2016
in WA No. 317/2013 passed by the High Court of Gauhati)
MOHD. SAMSUDDIN AND ORS. Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. Respondent(s)
(With appln. (s) for exemption from filing c/c of the impugned
judgment, exemption from filing O.T., interim relief and office
report)

WITH
SLP(Crl) No. 6304/2016
Date : 27/03/2017 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Sanjay R. Hegde, Sr. Adv.
Mr. Fuzail Ahmad Ayyubi, Adv.
Mr. Anas Tanwir, Adv.
Mr. Pushkar Sharma, Adv.
Mr. Varun Mishra, Adv.
Mr. M. Asmar Ansari, Adv.
Ms. Aamna Dara Khshan, Adv.

Mr. Somiran Sharma, Adv.
Mr. Amit Kumar, Adv.
For Respondent(s) Mr. Arijit Prasad, Adv.
Ms. Sunita Rani Singh, Adv.
Mr. B. Krishna Prasad, Adv.
Mr. Ansh Singh Luthra, Adv.

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

SLP(Crl.) No. 6304 of 2016
We find from the record that in the instant case,
proceedings against the petitioner were initiated under the
Foreigners Act, 1946. Since the petitioner did not appear,
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SLP (C)No. 23950/2016 etc.
he was proceeded ex-parte and the Foreigners Tribunal had
passed orders declaring him a foreigner.
The petitioner is relying upon certain documents on the
basis of which he claims that he is the citizen of India.
Since the petitioner was deprived of an opportunity to prove
these documents, we direct the Foreigners Tribunal to
consider these documents and return its findings thereupon.
List the matter after three months. Let the report be
sent before the next date.
In the meantime, the petitioner shall not be deported.
SLP (C) No. 23950 of 2016
List on 11 th
July, 2017.

(Nidhi Ahuja) (Mala Kumari Sharma)
Court Master Court Master