

ITEM NO.33

COURT NO.2

SECTION XIV

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).....CC 24571-24572/2016

(Arising out of impugned final judgment and order dated 16/06/2016 in RP No. 42/2016 08/12/2015 in WPC No. 6591/2015 16/06/2016 in WPC No. 6591/2015 passed by the High Court of Gauhati)

NAFIZ KURESHI

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS

Respondent(s)

(With appln. (s) for c/delay in filing SLP)

Date : 03/01/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s)

Mr. Tayenjam Momo Singh, AOR

For Respondent(s)

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

Delay condoned.

It is submitted by the learned counsel appearing for the petitioner that Md. Aniz Kureshi, who was the opposite party in F.T.(D.C.) Case No.450/09, the brother of the present petitioner, has been treated as an Indian under the Foreigners Act, 1964. Though such a fact was brought to the notice of the High Court in the review petition, yet it has declined to address the issue on the ground that a new case sought to be projected by the petitioner.

Taking into consideration the stand that the brother of the petitioner has been declared as an Indian, we are inclined to direct issuance of notice, fixing a returnable date within three weeks hence. Dasti, in addition, is permitted.

Let the matter be listed on 13th February, 2017.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master