

GAHC010024802024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/724/2024

RABIA KHATUN
W/O- NAYEB ALI,
D/O- LATE ABED ALI,
VILL- PAKRIGURI,
P.S- SALBARI,
P.O- BIJNI,
DIST- BAKSA , BTAD, ASSAM, PIN-783390

VERSUS

THE UNION OF INDIA AND 7 ORS
REP. BY THE SECRETARY TO THE MINISTRY OF HOME AFFAIRS, GOVT. OF
INDIA, SASTRI BHAWAN, NEW DELHI- 110001.

2:THE STATE OF ASSAM
REP. BY THE SECRETARY TO THE GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-6

3:THE DISTRICT COMMISSIONER
BAKSA
MUSHALPUR
PIN-783390

4:THE SUPERINTENDENT OF POLICE (B)
BAKSA
BTAD
MUSHALPUR
PIN-783390

5:THE SUPERINTENDENT OF POLICE (B)

BARPETA
PIN-781301

6:THE ELECTION COMMISSION OF INDIA
NEW DELHI-110001

7:THE STATE COORDINATOR
NATIONAL REGISTER OF CITIZENS
ASSAM
HOUSEFED 2ND FLOOR
GUWAHATI-32
DIST- KAMRUP (M)

8:THE FOREIGNERS TRIBUNAL NO-9

BARPETA

P.O AND DIST- BARPETA
ASSAM
PIN-78130

Advocate for the Petitioner : MR. A ROSHID

Advocate for the Respondent : DY.S.G.I.

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

HON'BLE MR. JUSTICE SANJAY KUMAR MEDHI

16/02/2024

(M.R. Pathak, J)

Heard Mr. A Roshid, learned counsel for the petitioner. Also heard Ms. A Verma, learned Standing counsel, Home Department, Assam for the respondent Nos. 2, 4, 5 & 8 and Mr. P Sharma, learned Additional Senior Government Advocate, Assam for the respondent No. 3.

Mr. Roshid, learned counsel for the petitioner submitted that there are some inadvertent mistakes in this writ petition as the petitioner failed to annex certain documents. As such, on instruction of the petitioner, Mr. Roshid, learned counsel prayed for withdrawal of this writ petition seeking a liberty to file afresh.

Considering such submission, the prayer of the petitioner is allowed subject to the condition that as and when the petitioner prefers a fresh writ petition pertaining to the impugned final order dated 02.02.2022 passed by the learned Member, Foreigners Tribunal 9th Barpeta, Assam in F.T. 9th (BPT) Case No. 11/2018 declaring her to be a foreigner under the Foreigners Act, 1946, she shall annex a copy of this order to the said writ petition and shall also make a statement that earlier she preferred a writ petition that was withdrawn with a liberty to file afresh.

With the above observation and direction, this writ petition stands dismissed on withdrawal.

Liberty as prayed for, so granted.

JUDGE

JUDGE

Comparing Assistant