

GAHC010042552024



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

Case No. : WP(C)/1203/2024

MD. SULTAN KHAN
S/O MD. NABIN KHAN, R/O WARD NO. 10, DHEKIAJULI, DIST- SONITPUR,
ASSAM

VERSUS

UNION OF INDIA AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE MINISTRY OF HOME
AFFAIRS, GOVERNMENT OF INDIA, NEW DELHI-110006

2:STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-6

3:ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI-110001

4:STATE COORDINATOR OF NATIONAL REGISTRAR OF CITIZENSHIP (NRC)
ASSAM
BHANGAGARH
G.S. ROAD
GUWAHATI-3

5:THE DEPUTY COMMISSIONER
DISTRICT-SONITPUR
ASSAM

6:THE SUPERINTENDENT OF POLICE (B)
DISTRICT-SONITPUR
ASSA

Advocate for the Petitioner : MR. D K BAGCHI, MS. N A CHETIA

Advocate for the Respondent : DY.S.G.I., MRS S BARUAH(CGC),SC, F.T,GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 07.08.2024
[K.R. Surana, J]

Heard Mr. D.K. Bagchi, learned counsel for the petitioner. Also heard Ms. A. Gayan, learned CGC representing respondent Nos. 1 and 4; Mr. G. Sarma, learned Standing Counsel, Home Department representing respondent Nos. 2 and 6 and Mr. H.K. Hazarika, learned Government Advocate representing respondent No.5 and Mr. A.I. Ali, learned Standing Counsel, Election Commission of India representing respondent No.3.

By filing this writ petition under Article 226 of the Constitution of India, the petitioner has prayed for setting aside and quashing the opinion dated 15.02.2022 passed by the learned Member Foreigners' Tribunal (9th), Dhemaji, Sonitpur in F.T.(9) Case No.609/2017. As the learned Member, Foreigners' Tribunal (9th), Dhemaji, Sonitpur has returned the finding that the case is not maintainable and the matter was returned to the Appellate Authority, the learned counsel for the petitioner seeks to withdraw this writ petition.

Nevertheless, it would be open to the petitioner to seek remedy for any other issue before the competent authorities, if so advised.

Accordingly, this writ petition stands dismissed on withdrawal.

Records received from the Foreigners' Tribunal (9th), Dhemaji, Sonitpur be returned back.

JUDGE

JUDGE

Comparing Assistant