

GAHC010128802024



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

Case No. : I.A.(Civil)/1968/2024

AJIA BIBI @ ARJIYA BIBI
W/O- AJIJUL HOQUE, R/O- VILL- KAIMARI PART-V, P.S- GOLAKGANJ, DIST-
DHUBRI, ASSAM

VERSUS

THE UNION OF INDIA and 3 ORS.
REP. BY THE SECRETARY TO THE GOVT OF INDIA, DEPARTMENT OF
HOME, NEW DELHI

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

3:THE DEPUTY COMMISSIONER
DIST- DHUBRI
ASSAM

4:THE SUPERINTENDENT OF POLICE
DIST- DHUBRI
ASSAM

Advocate for the Petitioner : MR P C DEY

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

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

ORDER

27.06.2024

(Suman Shyam, J)

By the order dated 17.05.2024 passed by this Court in WP(C) No.5695/2017, the applicant herein, who is a declared foreigner, was granted interim relief in the form of protection from arrest subject to the condition that she appears before the Superintendent of Police (Border), Dhubri on or before 07.06.2024 for completing the necessary formalities mentioned in the order.

Mr. P. C. Dey, learned counsel for the applicant submits that due to a communication gap the applicant/writ petitioner could not appear before the Superintendent of Police (Border), Dhubri before 07.06.2024 and the letter addressed to the Police Officer seeking extension of time was also received by him after expiry of the time for appearance. Under the circumstances, the writ petitioner, as applicant has approached this Court, by filing the instant I.A. seeking extension of time beyond 07.06.2024 to appear before the Superintendent of Police (Border), Dhubri in terms of the order dated 17.05.2024.

Mr. G. Sharma, learned Standing Counsel, Home Department, Government of Assam and Mr. A. Ali, learned Standing Counsel, Election Commission of India are present and have submitted that they do not have any instruction to file objection, opposing the prayer made in the I.A.

In view of the above and taking note of the grounds taken in the I.A, we are inclined to grant ten (10) days further time to the applicant with effect from today, so as to appear before the Superintendent of Police (Border), Dhubri in compliance of the order dated 17.05.2024. As such, we allow the applicant/writ

petitioner to appear before the Superintendent of Police (Border), Dhubri on or before 08.07.2024 and furnish a certified copy of this order along with a copy of the order dated 17.05.2024, for doing the needful.

The order dated 17.05.2024 stands modified to the above extent. The remaining directions contained in the order dated 17.05.2024 shall remain unaltered.

With the above observation, the I.A. stands disposed of.

JUDGE

JUDGE

Comparing Assistant