GAHC010133072024

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

Case No. : I.A.(Civil)/2157/2024

FORIDA KHATUN @ FARIDA BEGUM
D/O. MOJIBAR RAHMAN, W/O. JOSHMAT ALI, VILL. PARERCHAR PART-II,
P.S. ABHAYAPURI, DIST. BONGAIGAON, ASSAM.

VERSUS

THE UNION OF INDIA and 4 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HOME AFFAIRS, NEW DELHI.

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER and SECRETARY TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GUWAHATI-6.

3:THE SUPERINTENDENT OF POLICE B
BONGAIGAON.

4:THE DY. COMMISSIONER
BONGAIGAON.

5:THE OFFICER-IN-CHARGE
NORTH SALMARA POLICE STATION

DIST. BONGAIGAON

Advocate for the Petitioner : MS.S DAS, MR.F U BORBHUIYA

Advocate for the Respondent : DY.S.G.I., GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

04.11.2024

(K.R. Surana, J.)

Heard Mr. F. U. Borbhuiya, learned counsel for the petitioner. Also heard Mr. B. Chakraborty, learned CGC. Ms. A. Verma, learned Standing Counsel, Home Department, for respondent Nos. 2, 3 and 5, Mr. R. K. D. Talukdar, learned Government Advocate appearing for the respondent No. 5 are present.

By order dated 26.04.2024, while issuing rule in the connected writ petition i.e. WP(C) No. 4438/ 2017, an interim bail was granted to the petitioner with a direction to appear before the Superintendent of Police (B), Bogaigaon on or before 22.05.2024 and it was provided that on failure to appear or to serve extra copies of the writ petition to the respective counsel for the respondents, interim order would stand automatically vacated.

The applicant did not appear before the Superintendent of Police (B), Bongaigaon, within the time permitted and it is projected in this interlocutory application that the applicant could not be contacted over her Phone number provided for which there was a delay.

The learned Standing Counsel for the Home Department has opposed the prayer for extension of time on the ground that the applicant was negligent.

Be that as it may, last opportunity of 7 (seven) days from today is granted to the applicant namely, Forida Khatun to appear before the Superintendent of Police (B), Bongaigaon, in terms of order dated 26.04.2024, passed in WP(C) No. 4438/2017 failing which, this order shall lapse by afflux of time.

On appearance of the applicant before the Superintendent of Police (B), Bongaigaon within the extended time, the said authority shall do the needful in terms of the said order 26.04.2024 passed in WP(C) No. 4438/2017 in the event that the applicant is ready and willing to take bail.

This order shall be read together with order dated 26.04.2024, passed by this Court in WP(C) No. 4438/2017.

The phone number of the applicant, as provided in the affidavit appended to this application shall be updated in the CIS data of this Court in the connected writ petition.

In terms of the above, this interlocutory application stands disposed of.

JUDGE **JUDGE**

-

Comparing Assistant