

GAHC010133842024



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

Case No. : I.A.(Civil)/2123/2024

SONA BHANU,
W/O. SOMED ALI, R/O. VILL. JAKHLIBILOR PATHAR, P.S. BARPETA ROAD,
DIST. BARPETA, ASSAM.

VERSUS

THE UNION OF INDIA AND 10 ORS.
REP. BY THE SECY. TO THE GOVT. OF INDIA, MINISTRY OF HOME
AFFAIRS, NEW DELHI-110001.

2:THE ELECTION COMMISSIONER

ASSAM
DISPUR
GHY.-06.

3:THE STATE OF ASSAM

REP. BY THE SECRETARY TO THE GOVT. OF ASSAM
HOME DEPTT. DISPUR
GUWAHATI-06.

4:THE STATE COORDINATOR

NRC
ASSAM
BHANGAGARH
GUWAHATI-781005.

5:THE DIRECTOR GENERAL OF POLICE

ASSAM

ULUBARI
GHY.-781005.

6:THE SUPDT. OF POLICE (B)

BARPETA
DIST. BARPETA
ASSAM-781301.

7:THE DY. COMMISSIONER

BARPETA
DIST. BARPETA
ASSAM-781301.

8:THE OFFICER IN CHARGE

BARPETA ROAD POLICE STATION
SIMLAGURI
DIST. BARPETA
ASSAM-781315.

9:THE SUPDT. OF POLICE (B)

DIST. BAKSA
MUSHALPUR
PIN 781377

10:THE DY. COMMISSIONER

DIST. BAKSA
MUSHALPUR
PIN 781377

11:THE OFFICER IN CHARGE

GOBARDHANA POLICE STATION
DIST. BAKSA
ASSAM
PIN 78131

Advocate for the Petitioner : MR. P A AHMED, MR. P A AHMED

Advocate for the Respondent : DY.S.G.I., SC, NRC,SC, F.T,SC, ECI

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

ORDER

23.10.2024

(S. Saikia, J.)

Heard Mr. P.A. Ahmed, learned counsel for the applicant. Also heard Mr. G. Sarma, learned counsel appearing for the respondents No. 3, 5, 6, 8, 9 and 11, Mr. Kuli appears for the respondent No.2, Mr. P.K. Medhi, the learned counsel appears for the respondent No.1, Mr. P. Sarma appears for the respondents No.7 and Mr. R.K Talukdar, learned counsel for the respondent No. 10.

This interlocutory application has been filed by the applicant praying for extension of time to comply with the order dated 29.05.2024 passed by the Co-ordinate Bench in WP(C) No. 8826/2018. By the said order dated 29.05.2024 while issuing rule, this Court was pleased to call for the records of F.T. Case No. 328/2017 from the Foreigners Tribunal No. 10th Barpeta. The Court was also pleased to direct the petitioner to appear before the Superintendent of Police (Border), Baksa on or before 21.06.2024 and upon furnishing a bail bond and was permitted to remain on bail. Further direction was issued to the Superintendent of Police (Border) Baksa to record biometrics of the iris of both the eyes and fingerprint and photographs of the petitioner as well as necessary information and documents relating to the petitioner.

Learned counsel for the applicant has submitted that the applicant did not have personal contact number and she could not obtain her certified copy of the order in time. She came to be informed about this order through one of her co-

villagers but she was not able to proceed to Guwahati from her place of residence which is Barpeta to collect the certified copy and then appear before the Superintendent of Police (Border) Baksa on or before 21.06.2024 as directed by this Court.

It is submitted that the petitioner/applicant is an illiterate woman and therefore could not make necessary correspondences in time with her engaged counsel. The learned counsel for the applicant submits that the prayer for extension of time be accepted and the petitioner is permitted to appear before Superintendent of Police, Baksa within a further extended period of 7 days to comply with the direction of this Court.

The learned counsel appearing for the respondents do not object to the prayer made by the applicant.

Accordingly, the Interlocutory Application is disposed of and the applicant is permitted to appear before the Superintendent of Police (Border), Baksa within a further period of seven (07) days from today. If the petitioner appears as directed within a further period of 7 days and furnish a bail bond of Rs. 5,000/-, the direction contained in the order dated 29.05.2024 passed in WP(C) 8826/2019 shall be carried out by the Superintendent of Police (Border), Baksa.

The I.A. is accordingly stands disposed of and this order shall be read together in term with the order dated 29.05.2024 passed in WP(C) 8826/2019.

JUDGE

JUDGE

Comparing Assistant