

GAHC010141402019



2024:GAU-AS:12803

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

Case No. : WP(C)/4721/2019

KUTUB UDDIN AHMED
S/O LT. ABED ALI SARKAR @ LT. ABED ALI, VILL. KURIHA, P.O.
KAYAKUCHI BAZAR, MAUZA-BETBARI, DIST. BARPETA (ASSAM), PIN-
781352

VERSUS

THE UNION OF INDIA AND 6 ORS.
REP. BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HOME
AFFAIRS, SHASTRI BHAWAN, TILAK MARG, NEW DELHI-01

2:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
HOME DEPTT. DISPUR
GUWAHATI-781006

3:THE DEPUTY COMMISSIONER
BARPETA
P.O. BARPETA
DIST. BARPETA
ASSAM
PIN-781301

4:THE SUPERINTENDENT OF POLICE (B)
BARPETA
P.O. BARPETA
DIST. BARPETA
ASSAM
PIN-781301

5:THE ELECTION COMMISSION OF INDIA
THROUGH ITS SECRETARY NIRBACHAN BHAVAN

NEW DELHI-01

6:THE STATE CO-ORDINATOR
NATIONAL REGISTRAR OF CITIZENS (NRC)
ASSAM
BHANGAGARH
GUWAHATI-05

7:THE DISTRICT ELECTION OFFICER
BARPETA
P.O. BARPETA
DIST. BARPETA
ASSAM
PIN-78130

Advocate for the Petitioner : MR K BHUYAN, MR N ISLAM

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

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

17.12.2024

Heard Mr. M.U.E. Bhuyan, learned counsel appearing on behalf of Mr. K. Bhuyan, learned counsel for the petitioner. Also heard Mr. G. Sarma, learned counsel for the respondent Nos.2 & 4 and Mr. H. Kuli, learned counsel appearing on behalf of Mr. A.I. Ali, learned counsel for the respondent Nos.5 & 7.

2. The writ petitioner is aggrieved by the inclusion of his name in the category of 'D' Voter by the Election Commission of India.

3. Mr. G. Sarma, learned counsel for the respondent Nos.2 & 4 has submitted letter No.BEL-06/2022/18 dated 31.05.2022 issued by the Election Officer, Barpeta, Office of the Deputy Commissioner, Barpeta (Election Branch) and letter No.BPTA/B/22/555/1091 dated 31.05.2022 issued by the Superintendent of Police (B),

Barpeta addressed to the Election Officer, Barpeta, which states that the case of the petitioner is pending before the Foreigners Tribunal-III, Barpeta vide F.T. Case No.973/III/2017, SP Ref. No.110/16.

4. The letters dated 31.05.2022 issued by the Election Officer, Barpeta and letter dated 31.05.2022 issued by the Superintendent of Police (B), Barpeta are made a part of the record and marked as Annexure- X & Y respectively.

5. In view of the pendency of the petitioner's case before the Foreigners Tribunal-III, Barpeta, the present writ petition has become infructuous.

6. The writ petition is accordingly closed as infructuous. The petitioner should attend the proceedings before the learned Foreigners Tribunal-III, Barpeta, wherein his case is registered as F.T. Case No.973/III/2017.

JUDGE

Comparing Assistant