

GAHC010145532024



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

Case No. : I.A.(Civil)/2346/2024

ASMINA KHATOON,
W/O- MD. NURUL AMIN, R/O- VILL- NEGহারIBILL @ NEGHERIBILL,
MUSLIM GAON, P.S. MERAPANI, DIST- GOLAGHAT, ASSAM, PIN- 785705

VERSUS

THE UNION OF INDIA AND 8 ORS.
REP. BY THE HOME SECRETARY, GOVT. OF INDIA

2:THE ELECTION COMMISSION OF INDIA
REP. BY CHIEF ELECTION COMMISSIONER
NEW DELHI- 110001

3:THE STATE OF ASSAM
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
GHY-6

4:THE STATE COORDINATOR
NATIONAL REGISTER OF CITIZENSHIP (NRC)
ASSAM
BHANGAGARH
GHY-5

5:THE DY. COMMISSIONER
GOLAGHAT DISTRICT
PIN- 783380

6:THE SUPERINTENDENT OF POLICE (B)
DIST- GOLAGHAT
ASSAM

7:THE DY. COMMISSIONER
JORHAT DISTRICT
PIN- 785001

8:THE SUPERINTENDENT OF POLICE (B)
DIST- JORHAT
ASSAM

9:THE OFFICER-IN-CHARGE
MERAPANI P.S.
DIST- GOLAGHAT
ASSA

Advocate for the Petitioner : MS. B DEVI,

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

Linked Case : WP(C)/8399/2018

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Advocate for : MR S BORGOHAIN
Advocate for : ASSTT.S.G.I. appearing for THE UNION OF INDIA AND 8 ORS.

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

ORDER

Date : 14.08.2024
[S. Saikia, J]

Heard Mr.S. Borgohain, learned counsel for the applicant. Also heard Mr. G. Sharma, learned Standing Counsel, Home Department, Assam for the respondent Nos. 3, 6, 8 and 9 and Mr. H.K. Hazarika, learned Government

Advocate for respondent Nos. 5 and 7 and Mr. H. Kuli, learned Standing Counsel, Election Commission of India for respondent No. 2.

2. This Interlocutory Application has been filed by the applicants seeking extension of time to comply with the order dated 12.06.2024 passed by this Court in WP(C)/8399/2018. By the said order, this Court, while issuing rule was pleased to permit the petitioner to obtain bail by appearing before the S.P. (Border), Golaghat upon furnishing a bail bond of Rs.5000/- (Rupees five thousand) only. She was directed to appear on or before 02.07.2024 during office hours.

3. It is submitted by the learned counsel for the applicant that because of the current flood situation prevailing in the State, the petitioner could not appear before the S.P.(Border), Golaghat on or before 02.07.2024. She appeared before the S.P.(Border), Golaghat on the 03.07.2024 and the competent authorities refused to grant her bail as she had appeared after the date prescribed in the order dated 12.06.2024 by this Court.

4. This Interlocutory Application therefore, is filed seeking extension of time to appear before the S.P.(Border), Golaghat in compliance of the order dated 12.06.2024 passed in WP(C)/8399/2018.

5. Mr. G. Sharma, learned Standing Counsel, Home Department, Assam for the respondent Nos. 3, 6, 8 and 9 and Mr. H.K. Hazarika, learned Government Advocate for respondent Nos. 5 and 7 and Mr. H. Kuli, learned Standing Counsel, Election Commission of India for respondent No. 2 does not object to the prayers made.

6. Having considered the submission of the learned counsel for the petitioner and upon being satisfied with the grounds and reasons mentioned in the

Interlocutory Application filed, this Court is of the view that the prayer made by the applicant can be allowed. Accordingly the petitioner is further granted 10 (ten) days further time to appear before the S.P.(Border), Golaghat. The petitioner is directed to appear positively on or before 27.08.2024 during office hours. If the petitioner appears before the S.P.(Border), Golaghat within the time prescribed, the S.P.(Border), Golaghat will carry out the other directions contained in the order dated 12.06.2024 passed in WP(C)/8399/2018. This order shall be read together with the order dated 12.06.2024 passed in WP(C)/8399/2018.

7. With the above observation this Interlocutory Application stands allowed and disposed of.

8. Writ petition be listed in terms of the order dated 12.06.2024.

JUDGE

JUDGE

Comparing Assistant