

GAHC010155332017



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

Case No. : WP(C)/8094/2017

SETU RANI DAS
D/O. LT. DARPAHARI @ HARIPADA @ PAHARI DEB AND W/O. SRI SUBODH
DAS, R/O. THANA ROAD, RAMKRISHNA NAGAR, DIST. KARIMGANJ,
ASSAM.

VERSUS

THE UNION OF INDIA and 3 ORS
REP. BY THE SECRETARY, MINISTRY OF HOME AFFAIRS, GOVT. OF INDIA,
NEW DELHI-01.

2:THE STATE OF ASSAM
REP. BY THE COMM. and SECY. TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR-781006.

3:THE DY. COMMISSIONER

DIST. KARIMGANJ
ASSAM.

4:SUPDT. OF POLICE BORDER

KARIMGANJ
ASSAM

Advocate for the Petitioner : MS.D CHOWDHURY

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

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

26.02.2024

M.R. Pathak, J.

Today, in the first half, when the matter was taken up for consideration, the petitioner remained unrepresented. In the second half also, none has appeared to represent the petitioner. Even on earlier two occasions i.e., 07.11.2019 and 20.11.2023, the petitioner remained unrepresented.

This Court, however, vide order dated 22.12.2017 while issuing notice, had granted interim protection to the petitioner to the effect that the petitioner shall not be deported from India.

By the impugned *ex parte* order/opinion dated 03.07.2012, the learned Member, Foreigners Tribunal-II, Karimganj, in FT Case No. 41/2011 declared the petitioner to be a foreigner/illegal migrant under the Foreigners Act, 1946, who had illegally entered into the territory of India (Assam) on or after 25.03.1971.

Accordingly and in view of the above, the writ petition is dismissed for non-prosecution.

The interim order passed on 22.12.2017 stands vacated.

The Registrar (Judl.) is directed to communicate this order to the Superintendent of Police (B), Karimganj.

The learned Standing Counsel, Home and Political Department, Government of Assam is also directed to apprise the order to the concerned authorities.

Comparing Assistant