

GAHC010251132019



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

Case No. : WP(C)/7790/2019

SAPIYA KHATUN

W/O- MD. SAFURUDDIN AHMED @ SAFUR ALI, D/O- LT ATASH KHA, R/O-
VILL- BHAIRARGHOL, P.S. MUKALMUA, DIST- NALBARI (ASSAM), PIN-
781126

VERSUS

THE UNION OF INDIA AND 5 ORS.

REP. BY ITS SECY. OF THE MINISTRY OF HOME AFFAIRS, UNION OF INDIA,
NEW DELHI-1

2:THE STATE OF ASSAM

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

3:THE ELECTION COMMISSION OF INDIA

REP. BY THE CHIEF ELECTION COMMISSIONER OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI-1

4:THE STATE CO-ORDINATOR OF NATIONAL REGISTER OF CITIZENS

ASSAM
1ST FLOOR
ACHYUT PLAZA
GHY SHILLONG ROAD
BHANGAGARH
GHY
ASSAM
PIN- 781005

5:THE DY. COMMISSIONER
NALBARI
DIST- NALBARI
P.O. AND P.S. NALBARI
ASSAM
PIN- 781335

6:THE SUPERINTENDENT OF POLICE (B)
NALBARI
DIST- NALBARI
P.O. AND P.S. NALBARI
ASSAM
PIN- 78134

Advocate for the Petitioner : MR. I CHOUDHURY

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

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

ORDER

22.02.2024

M.R. Pathak, J.

No representation on behalf of the petitioner on call. Even on earlier occasions i.e. on 28.02.2020, 27.09.2023 and 12.02.2024 none had appeared on behalf of the petitioner though names of the two learned counsel for the petitioner have been reflected in the cause list.

2. On being referred by the Superintendent of Police (Border), Nalbari, FT (NAL-2) Case No. 86/2015 was registered before the Foreigners Tribunal, Nalbari at Mukalmua. On receipt of notice of the said FT Case from the Foreigners Tribunal, Nalbari at Mukalmua, the petitioner filed her written statement. In the said FT Case, the petitioner filed a Petition No. 414/2019 to file her additional-

written statement which was rejected by the Tribunal vide order dated 15.05.2019.

3. Being aggrieved by the said order of rejection dated 15.05.2019, the petitioner filed this writ petition on 04.10.2019. But, since the date of filing, the petitioner remained unrepresented in the matter.

4. On 12.02.2024, the Court directed the learned Standing Counsel, Home Department, Assam to apprise about the status of the aforesaid FT Case, fixing the matter today.

5. Mr. Payeng, learned Standing Counsel, Home and Political Department by placing a copy of the final order dated 07.11.2019 passed by the Foreigners Tribunal No. 2, Nalbari in the said FT Case No.86/2015 apprised that the said Tribunal, after considering the evidence adduced by the petitioner and the documents examined by it, by the Final Order dated 07.11.2019, noted above, declared the petitioner to be a foreigner under the Foreigners Act, 1946.

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

7. A copy of the final order dated 07.11.2019 passed in the FT (Nal-2) Case No. 86/2015 is made a part of the record.

JUDGE

JUDGE

Comparing Assistant