

GAHC010264902017



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

Case No. : WP(C)/5803/2017

AYESHA BIBI
D/O- LATE ROHIMUDDIN SHEIKH AND HASARBHAN BIBI, PERMANENT
R/O- VILL- SILGHAGIRI, DANGAIGAON, P.S- BIJNI, DIST- CHIRANG,
ASSAM

VERSUS

THE UNION OF INDIA and 5 ORS.
REP. BY THE SECRETARY TO THE GOVT OF INDIA, MIN OF HOME
AFFAIRS, NEW DELHI

2:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
HOME DEPARTMENT
DISPUR
GHY- 6

3:THE DEPUTY COMMISSIONER
CHIRANG DIST

4:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI- 781007

5:THE SUPERINTENDENT OF POLICE
CHIRANG

6:THE OFFICER-IN-CHARGE
BIJNI P.S
DIST- CHIRANG
ASSA

Advocate for the Petitioner : MR B SARKAR

Advocate for the Respondent :

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

HON'BLE MR. JUSTICE MRIDUL KUMAR KALITA

13/06/2024

(M.R. Pathak, J)

No representation on behalf of the petitioner on call, though names of three counsels have been reflected in the cause list.

2. Heard Ms. P Swargiary, learned counsel appearing on behalf of Mr. H Gupta, learned Central Government counsel for the respondent 1; Ms. A Verma, learned Standing counsel, Home Department, Assam for the respondent Nos. 2, 4, 5 & 6 and Mr. P Sharma, learned Additional Senior Government Advocate, Assam for the respondent No. 3.

3. Notice in this case was issued on 19.09.2017.

4. Registry has already received the relevant records from the Foreigners Tribunal, Chirang, that was called for by order dated 19.09.2017.

5. The petitioner is on interim protection and also on interim bail since 19.09.2017.

6. In the present case, the petitioner has challenged the judgment dated 29.06.2017 passed by the learned Foreigners Tribunal, Chirang in Case No. BNGN/FT/CHR/1424/2010 arising out of Police Enquiry No. 1036/2002, whereby in a reference being made by the Superintendent of Police (Border) of erstwhile District-Bongaigaon, he was declared to be a foreigner under the Foreigners Act, 1946 of post 1971 stream.

7. It is seen from the order sheets of this case that even on the last two occasions, i.e., on 06.06.2024 and 31.05.2024, the petitioner remained unrepresented.

8. Moreover, the Court Master of this Court on 31.05.2024 informed the counsel for the petitioner through email that the matter is fixed on 06.06.2024 and even on the said date, the petitioner remained unrepresented.
9. Considering the above, this writ petition stands dismissed for non-prosecution.
10. The interim protection and the interim bail granted earlier to the petitioner on 19.09.2017 stands vacated/hereby recalled.
11. Registry shall return the records of Case No. BNGN/FT/CHR/1424/2010 to the Foreigners Tribunal, Chirang along with a copy of this order.
12. Registry shall also communicate a copy of this order to the Superintendent of Police (Border), Chirang as well as the Deputy Commissioner, Chirang.
13. Copy of this order be furnished to Ms. A Verma, learned Standing counsel, Home Department for her necessary onward communication.

JUDGE

JUDGE

Comparing Assistant