

MC 2760/2010
BEFORE
THE HON'BLE MR. JUSTICE B.K. SHARMA

Heard Mr. J. Ahmed, learned counsel for the petitioners-applicant. Also heard Ms . R. Chakraborty, learned Addl. Sr. Govt. Advocate, Assam as well as Mr. M. Bhagawati, learned CGSC.

By means of this application, the petitioners have prayed for extension of time limit fixed in the order dated 2.8.2010 passed in WP(C) 4254/2010, in terms of which the petitioners who have been declared to be foreigners by the Foreigners Tribunal, Barpeta in FT Case No. 58/2006 were to surrender before the Superintendent of Police(B), Barpeta on or before 9.8.2010. According to the petitioners, they have received the certified copy of the order on 10.8.2010 and thus could not surrender on 9.8.2010.

It appears that the certified copy of the order was obtained on 4.8.2010 and thus I see no reason as to why the petitioners could not appear before the SP(B), Barpeta on the date fixed i.e. 9.8.2010.

The grounds assigned in the application are not satisfactory. However, considering the matter in its entirety and since the petitioners are now ready to surrender before the SP(B), Barpeta, the extension of time limit as prayed for is allowed. Accordingly, the petitioners shall now surrender before the SP(B), Barpeta on or before 25.10.2010 alongwith the copy of the order earlier passed on 2.8.2010, who in turn shall consider the matter per the directions contained in the said order dated 2.8.2010.

In the event of failure to surrender before the SP(B), Barpeta within the extended period of time i.e. 25.10.2010, the SP(B), Barpeta shall ensure apprehension of the petitioners for their detention in the Detention Camp. In the meantime, the Deputy Commissioner, Barpeta, shall ensure deletion of the names of the petitioners from the voter list.

Let a copy of this order be furnished to Ms. R. Chakraborty, learned Addl. Sr. Govt. Advocate, Assam and so also Mr. J. Ahmed, learned counsel for the petitioner, during the course of the day, on payment of usual fee.

MC stands disposed of.