

GAHC010107742020



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

**Case No. : I.A.(Civil) 1332/2020**

1:SALEHA KHATUN  
D/O- AYEB ALI, W/O- TAMEZUDDIN, VILL- RAGHABBIL, P.S-  
GOBARDHANA, DIST- BAKSA, BTAD, ASSAM, PIN- 781318

VERSUS

1:THE UNION OF INDIA AND 6 ORS  
REP. BY THE SECRETARY TO THE GOVT OF INDIA, DEPTT OF HOME, NEW  
DELHI- 01

2:THE STATE OF ASSAM  
REP. BY THE SECRETARY TO THE GOVT OF ASSAM  
DEPTT OF HOME  
DISPUR  
GUWAHATI-6

3:THE DEPUTY COMMISSIONER  
BAKSA (BTAD)  
PIN- 78131

4:THE SUPERINTENDENT OF POLICE (B)  
BAKSA (BTAD)  
PIN- 78131

5:THE ELECTION COMMISSION  
GOVT OF INDIA  
NEW DELHI- 01

6:THE STATE COORDINATOR  
NRC

ASSAM  
GUWAHATI- 32

7:FOREIGNERS TRIBUNAL NO.3  
BARPETA  
REP. BY THE STANDING COUNSEL  
FOREIGNERS TRIBUNAL  
PIN- 78130

**Advocate for the Petitioner : MR. A ROSHID**

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

**BEFORE**  
**HONOURABLE MR. JUSTICE MANOJIT BHUYAN**  
**HONOURABLE MR. JUSTICE HITESH KUMAR SARMA**

**ORDER**

**Date : 31-08-2020**

**(Manojit Bhuyan, J.)**

Heard Mr. A. Roshid, learned counsel for the applicant as well as Ms. G. Hazarika, learned counsel representing respondent nos. 1 and 6. Mr. J. Payeng, learned counsel represents respondent nos. 2,3, 4 and 7 whereas Ms. B. Das, learned counsel appears for respondent no. 5.

This application is filed in connection with WP(C) No. 7005/2019. Initially, an order was passed on 10.02.2020 granting interim protection to the petitioner and also to appear before the Superintendent of Police (Border), Barpeta within 15 (fifteen) days. However, in so far as the name of the authority is concerned, the same was corrected in a subsequent order dated 16.03.2020 passed in IA(C) No. 859/2020 to the effect that the description of the Superintendent of Police (Border), Barpeta be read as "Superintendent of Police (Border), Baksa (BTAD)".

The petitioner is before this Court once again stating that since in the order dated 16.03.2020 there is no mention of the case number, as such, the authority concerned is not

inclined to accept or comply with the aforesaid order dated 16.03.2020.

Apparently, the order dated 16.03.2020 passed in IA(C) 859/2020 is in connection with WP(C) 7005/2019 and in the initial order dated 10.02.2020 there was also clear mention of the concerned FT case number. If the contention raised by the applicant as regards refusal to accept the Court's order is correct, we fail to understand why the authority concerned are reluctant to comply with the Court's direction when both the orders dated 10.02.2020 and 16.03.2020 were produced before the said authority. Be that as it may, we dispose of the present interlocutory application by indicating that the order dated 16.03.2020 passed in IA(C) 859/2020 was rendered in WP(C) 7005/2019, which writ petition is filed challenging the order passed by the Foreigners' Tribunal-III, Barpeta in FT Case No. 03 (III)/2017.

In view of the order above, the applicant shall now appear before the Superintendent of Police (Border), Baksa (BTAD) within 10 (ten) days from today. Other directions in our earlier orders shall remain as it is.

**JUDGE**

**JUDGE**

**Comparing Assistant**