



GAHC010120752025

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

**Case No. : WP(C)/3101/2025**

REJIYA KHATUN  
DAUGHTER OF NAYAB ALI MONDAL R/O NO 44 SALIJHORA MADHYAM  
KAJALGAON PS KAJOLGAON DIST CHIRANG ASSAM 783385

VERSUS

THE UNION OF INDIA AND ORS  
REP BY THE SECRETARY MINISTRY OF EXTERNAL AFFAIRS GOVT OF  
INDIA SOUTH BLOCK NEW DELHI 110011

2:THE COMMISSIONER AND SECRETARY  
HOME DEPTT GOVT OF ASSAM DISPUR GUWAHATI 6

3:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ULUBARI GUWAHATI 8

4:THE DISTRICT COMMISSIONER  
CHIRANG  
CHIRANG

5:THE SUPERINTENDENT OF POLICE  
CHIRANG

6:THE SUPERINTENDENT OF POLICE CHIRANG BORDER  
CHIRANG

7:THE OFFICER IN CHARGE  
KAJOLGAON POLICE STATION  
DIST CHIRANG ASSA

**Advocate for the Petitioner : MR. M DUTTA, L DEKA**



**Advocate for the Respondent : D.Y.S.G.I., GA, ASSAM**

**BEFORE  
HONOURABLE MR. JUSTICE KALYAN RAI SURANA  
HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**Date : 20.06.2025**  
(K.R. Surana, J)

Heard Mr. M. Dutta, learned counsel for the petitioner. Also heard Mr. U. K. Goswami, learned CGC, Mr. M. Islam, learned counsel appearing on behalf of Mr. A.I. Ali, learned standing counsel for the ECI, Mr. G. Sarma, learned standing counsel for the FT Matters, and Mr. P. Sarmah, learned Additional Senior Govt. Advocate for the State.

2. The learned counsel for the petitioner has submitted that pursuant to order dated 09.06.2025, the petitioner has been allowed to meet his father, namely, Majibar Rahwan @ Majibar Sheikh at the Holding Centre under 7<sup>th</sup> APBn., Charaikhola, Kokrajhar and also to obtain the vakalatnama.

3. By referring the statement made in the writ petition, it is submitted that by virtue of an opinion dated 15.07.2018, passed by learned Member, Foreigners' Tribunal, Chirang, in BNGC/FT/CHR/Case No. 335/2010, arising out of Ref. No. 70/2010, whereby the husband of the petitioner was declared to be a foreigner of post 1971 stream. Thereafter, he was taken into custody and lodged in the Transit Camp. However, by virtue of order dated 10.05.2019, passed by the Supreme Court of India in WP(C)/1045/2018- *Supreme Court Legal Services Committee vs. Union of India*, the petitioner was released on bail.

4. It is submitted that on 15.11.2021, on completion of two years of stay



in the Transit Camp, the husband of the petitioner was released. Referring to the statement of the paragraph 13 of the petition it is submitted that the husband of the petitioner has been appearing before the Kajalgaon Police Station every week as per terms and conditions of the order of release and the husband of the petitioner has last appeared before the said police station on 21.05.2025.

5. In view of the above, the learned Standing counsel for the FT matters is requested to send a downloaded copy of this order to the concerned authorities so as obtain written instruction as to whether the husband of the petitioner, namely, Majibar Rahwan @ Majibar has been complying with the condition(s) of bail by appearing before the Kajalgaon Police Station every week.

6. Awaiting instructions in writing, list the matter on 25.06.2025.

**JUDGE**

**JUDGE**

**Comparing Assistant**