

(2021) 08 GAU CK 0009

In the Gauhati High Court

Case No : Writ Petition (Civil) No. 3491 Of 2021

Lalita Das

APPELLANT

Vs

Union Of India And 3 Ors

RESPONDENT

Date of Decision : 03-08-2021

Acts Referred:

Citation : (2021) 08 GAU CK 0009

Hon'ble Judges : N. Kotiswar Singh, J;Soumitra Saikia, J

Bench : Division Bench

Advocate : U Dutta

Judgement

Heard Mr. U. Dutta, learned counsel for the petitioner.

Issue notice, returnable within 4 (four) weeks.

Ms. L. Devi, learned counsel appearing on behalf of Mr. R.K.D. Choudhury, learned ASGI accepts notice on behalf of respondent No.1.

Ms. A. Verma, learned Special Counsel, FT accepts notice on behalf of respondent Nos.2 and 4.

Mr. A. Bhuyan, learned Standing Counsel, ECI accepts notice on behalf of respondent No.3.

As the respondents are duly represented, no formal steps need be taken in respect of them. However, the petitioner shall serve extra copies to the

learned counsel for the respondents.

Registry to requisition the case records in respect of Lakhimpur FT (1st) Case No. 3234/2001 [DIST. No. 415/2001] from the Foreigners Tribunal

No.1st, Lakhimpur, North Lakhimpur.

Learned counsel for the petitioner submits that the petitioner has not yet been detained on the strength of the order dated 29.06.2019 passed by the

learned Member, Foreigners Tribunal Lakhimpur (1st), North Lakhimpur in Lakhimpur FT (1st) Case No. 3234/2001 [DIST. No. 415/2001].

If that is so, in the meantime, the petitioner if not already arrested, may not be arrested and deported from India in terms of the order dated 29.06.2019

passed by the learned Member, Foreigners Tribunal Lakhimpur (1st), North Lakhimpur in Lakhimpur FT (1st) Case No.3234/2001 [DIST No.

415/2001]. We also direct the petitioner to appear before the Superintendent of Police (Border), Lakhimpur, North Lakhimpur within 15(fifteen) days

from today, who may obtain necessary information and documentation as required under the rules from the petitioner for securing her presence. On

such appearance, the petitioner shall furnish a bail bond of Rs.5000/- (Rupees five thousand) with one local surety of the like amount to the

satisfaction of the said authority whereafter she shall be allowed to remain on bail. The concerned Superintendent of Police (Border) shall also take

steps for capturing the finger prints and biometrics of the iris of the petitioner, if so advised.

However, the petitioner shall not leave the jurisdiction of Lakhimpur District without giving details of the place of destination and her place of stay to

the Superintendent of Police (Border), Lakhimpur, North Lakhimpur.

List the matter after receipt of case records.