

GAHC010035362018



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

Case No. : WP(C)/1078/2018

MIRA RAY @ MEERA KARMAKAR
W/O GOPAL CH. RAY @ GOPAL RAY
VILL- SIBPUR P.S. ABHAYAPURI
DIST. BONGAIGAON, ASSAM

VERSUS

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

2:THE STATE OF ASSAM

REP. BY THE SECRETARY TO THE GOVT. OF ASSAM
HOME DEPARTMENT

DISPUR.

3:ELECTION COMMISSION OF INDIA

EP. BY THE ELECTION OFFICER
BONGAIGAON
ASSAM

4:NATIONAL REGISTER OF CITIZENS

REP. BY THE STATE COORDINATOR 1ST FLOOR
ACHYUT PLAZA
BHANAGAGARH
GUWAHATI
ASSAM

5:THE DEPUTY COMMISSIONER

BONGAIGAON

DIST. BONGAIGAON
ASSAM

6:THE SUPERINTENDENT OF POLICE (B)

BONGAIGAON
ASSA

Advocate for the Petitioner : MRS. B GOGOI

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

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

06.02.2024

(M.R. Pathak, J.)

On a reference being made by the Superintendent of Police (Border), Bongaigaon, after considering the evidence adduced by her and on hearing both the sides, the learned Member, Foreigners Tribunal, Bongaigaon No. 2, Abhayapuri in BNGN/FT-2/APR/Case No. 64/2017, by order dated 22.12.2017 declared the petitioner - Mira Ray, wife of late Gopal Ray, daughter of Bamcharan Karmakar of village Shibpur of Abhayapuri Ward No. 3, Police Station - Abhayapuri, District - Bongaigaon as a Foreigner under the Foreigners Act, 1946, holding that she had illegally entered into the territory of India (Assam) from the specified territory of Bangladesh on or after 25.03.1971.

2) Dissatisfied with the said order dated 22.12.2017 of Foreigners Tribunal, Bongaigaon No. 2, Abhayapuri, noted above, the petitioner has filed this petition on 22.02.2018.

3) On 09.01.2024, Ms. S. Das, learned counsel appearing on behalf of Mrs. B. Gogoi, learned counsel for the petitioner on instructions, apprised the Court that the said proceedee, i.e., the petitioner herein expired on 21.11.2023. As such, by an order dated 09.01.2024, the

Court fixed the matter today enabling the learned counsel for the petitioner to place the relevant death certificate of the deceased petitioner.

4) Pursuant to the same, Ms. N. Bora, learned counsel appearing on behalf of Mrs. B. Gogoi, learned counsel for the petitioner has placed a copy of the death certificate of the petitioner dated 20.12.2023 issued by the Registrar Births & Deaths, Sub Divisional Medical & Health Officer, North Salmara, Abhayapuri certifying that Mira Ray (the petitioner/ proceedee) had expired on 21.11.2023.

5) Ms. Bora, learned counsel appearing on behalf of Mrs. B. Gogoi, learned counsel for the petitioner on instructions of the family members of the petitioner submitted that they are not pressing this writ petition as the petitioner had already expired.

6) Accordingly, this writ petition stands dismissed being not pressed.

7) A copy of the death certificate of the deceased petitioner placed before this Court by Ms. N. Bora, learned counsel for the petitioner be kept as a part of the records.

8) Registry shall return the records in original of the case of BNGN/FT-2/ APR/Case No. 64/2017 that was called for by order dated 28.02.2018, to the office of the Foreigners Tribunal, Bongaigaon No. 2, Abhayapuri forthwith along with a copy of this order as well as a copy of the death certificate of the petitioner dated 20.12.2023.

JUDGE

JUDGE

Comparing Assistant