

04.08.2022
sayandeep
Sl. No. 01
Ct. No. 05
Suppl. list

WPA 1609 of 2022

Fatema Begum @ Fatema Begam @ Fatama
Begum & Ors.
-Versus-
The Union of India & Ors.

Ms. Afreen Begum
..... for the petitioners
Mr. Dhiraj Trivedi
Mr. Sagar Saha
....for the U.O.I.
Mr. Anirban Ray
Mr. Raja Saha
....for the State

All the four petitioners before the Court are Rohingya Muslims who have served their period of detention on 20th July, 2019. The petitioners have however continued to remain in the Dumdum Correctional Home since then. Learned counsel appearing for the petitioners mentioned the matter this morning on an urgent basis on the ground that the petitioners received a verbal communication from the jail authorities that the petitioners would be deported to Myanmar tomorrow, i.e., 5th August, 2022.

Learned counsel appearing for the Union of India as well as the learned Government Pleader submit that they do not have any instructions of any such order of deportation.

Since the writ petition contains a prayer for restraint on the respondent authorities not to deport the petitioner to Myanmar, this Court is of the view that until the matter is taken up for hearing by this Court, the respondents shall not give any effect to any order of deportation of the four petitioners, if any such order has been made after filing of the writ petition, till further orders are passed in the matter.

List this matter on 10th August, 2022 as prayed for.

The petitioners shall file a supplementary affidavit bringing the subsequent events on record before the returnable date and serve an advance copy of the same on the learned counsel appearing for the respondents.

In the meantime, this Court deems it fit to direct that the petitioners be provided with facilities which are commensurate to their right to live with dignity.

(Moushumi Bhattacharya, J.)