

GAHC010262042017



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

**Case No. : WP(C)/3576/2017**

SAIDUR RAHMAN and 9 ORS.  
S/O LT. BARU MIA

2: MAHMAD ULLA  
S/O LT. BARU MIA

3: MRS. TAHARA BEGU  
W/O MD. SAIDUR RAHMAN

4: MRS. RUMANA BEGUM  
W/O MAHMD ULLA

5: YESMEEN AKTAR  
D/O MD. SAIDUR RAHMAN

6: ABU TALEK  
S/O MD. SAIDUR RAHMAN

7: JASMEEN AKTAR  
D/O MD. SAIDUR RAHMAN

8: TAHMINA AKTAR  
D/O MAHMAD ULLA

9: MD. RIDWAN  
S/O MAHMAD ULLA

10: TASMINA AKTAR  
D/O MAHMAD ULLA ALL ARE RESIDENT OF VILL- COUNDANG P.S.  
BOCHIDANG DIST. BOCHIDANG  
MYANMA

VERSUS

THE UNION OF ASSAM and 5 ORS.  
REP. BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HOME  
AFFAIRS, NEW DELHI

2:THE STATE OF ASSAM  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
DEPARTMENT OF HOME AFFAIRS  
DISPUR GUWAHATI- 781006.

3:THE INSPECTOR GENERAL OF PRISON  
ASSAM  
KHANPARA  
GUWAHATI-22.

4:THE SUPERINTENDENT  
CENTRAL JAIL  
TEZPUR  
DIST. SONITPUR  
ASSAM

5:THE SUPERINTENDENT OF POLICE BORDER  
DIST. SONITPUR  
ASSAM

6:THE DEPUTY COMMISISONER  
DIST. SONITPUR  
ASSAM

**Advocate for the Petitioner** : MR. E AHMED

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

**BEFORE**  
**HONOURABLE MR. JUSTICE N. KOTISWAR SINGH**  
**HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**Date : 03.12.2021**

*(N. Kotiswar Singh, J.)*

Heard Mr. I. Hussain, learned counsel for the petitioners. Also heard Ms. A. Verma, learned Special Counsel, FT.

It has been submitted that the present petitioners are admittedly citizens of Myanmar who have been convicted for entering this country without proper documentation and had

served out sentences imposed by the competent Court and have been languishing in jail for the last 7 (seven) years.

The plea of the petitioners is that either they be allowed to remain in India by granting refugee status or be deported to their country of origin, i.e., Myanmar.

However, the authorities are not taking any decision in this regard and the petitioners are languishing in jail.

Ms. Verma, learned Special Counsel, FT seeks some time to take instructions as to the course of action the Government may adopt in respect of the petitioners.

List the matter again on 16.12.2021.

A copy of the petition along with a copy of this order be furnished to Ms. Verma, learned Special Counsel, FT.

**JUDGE**

**JUDGE**

**Comparing Assistant**