

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).11013/2017

(Arising out of Special Leave Petition(C) No(s). 10014/2017)

BINA RANI SAHA @ BINA RANI SHAHA
@ BINAPANI SHAHA

APPELLANT(s)

VERSUS

THE STATE OF ASSAM & ORS.

RESPONDENT(s)

O R D E R

Leave granted.

Pursuant to the directions given by this Court the Foreigners Tribunal No.1, Goalpara has submitted its report dated 12.07.2017. The report discloses that on the basis of various documents submitted by the appellant and her cross-examining at length by the Assistant Government Pleader, the Tribunal has come to the conclusion that the appellant is a *bona fide* resident of Assam and citizen of India.

Since the Tribunal has not decided the matter afresh, holding that the appellant is a *bona fide* resident of Assam and citizen of India, the impugned order passed by the High Court has to be set aside. This appeal is, accordingly, allowed and the impugned order is set aside.

However, it will always be open to the State Government or the Union of India to challenge the said order passed by the Foreigners Tribunal and in case the order is challenged, the Court shall

decide the same in accordance with law. We make it clear that insofar as this Court is concerned, no opinion on merits of that order is expressed.

.....J.
[A.K. SIKRI]

.....J.
[ASHOK BHUSHAN]

NEW DELHI;
AUGUST 25, 2017.

ITEM NO.13

COURT NO.6

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 10014/2017

(Arising out of impugned final judgment and order dated 18-01-2017
in WA No. 257/2016 passed by the Gauhati High Court)

BINA RANI SAHA @ BINA RANI SHAHA @ BINAPANI SHAHA Petitioner(s)

VERSUS

THE STATE OF ASSAM

Respondent(s)

Date : 25-08-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHANFor Petitioner(s) Mr. Shuvodeep Roy, Adv.
Mr. Sayooj Mohandas, Adv.
Mr. Avijit Roy, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, shall be disposed of
accordingly.(ASHWANI KUMAR)
COURT MASTER(MADHU NARULA)
COURT MASTER

(Signed order is placed on the file)