

IN THE GUWAHATI HIGH COURT
(The High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura,
Mizoram and Arunachal Pradesh)
Imphal Bench

Civil Rule No. 981 of 1989

Ms. Zothasangpuii
aged about 33 years
d/o Thanghiria of
Tohan Village, Burma at present lodged
At Manipur Central Jail, Imphal, Manipur

...Petitioner

VS

The State of Manipur,
Through the Secretary
Ministry of Home, Imphal,
Manipur & another

...Respondents

P R E S E N T

THE HON'BLE MR. JUSTICE S. N. PHUKAN

THE HON'BLE MRS. JUSTICE M. SHARMA

For the petitioner: Miss Nandita Haksar &
Mr. N. Koteswar Singh, Advocates.

For the respondents: Addl. Central Govt. standing Counsel &
Learned Senior Govt. Advocate

ORDER

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The petitioner Ms. Zothasangpuii aged about 33 years has approached us for an appropriate direction in view of the following facts:-

Admittedly the petitioner is a Burmese Citizen and she entered this country along with others as a result of terror let loose by the military authorities of Burma. She was prosecuted under relevant laws of our country and the learned Chief Judicial Magistrate, Chandel in Case No. Criml Case (P) No. 77 of 1989 convicted the petitioner on the plea of guilt

and sentenced her to simple imprisonment for a term of 180 days and also another fifteen days under the Foreigners' Act and under Rule 6(1) of the Rules framed under the passport Act. The period of sentence is going to expire on 4th October, 1989. The petitioner apprehends that in view of the circumstances under which she had to come to this country, be her life may be in danger if she is deported to Burma. It is also stated that she is unwell and needs treatment. Petitioner has prayed that an opportunity may be given to her to go to Delhi to seek political asylum in this country or some other country of her choice.

We have heard Ms. Nandita Hakser, learned counsel for the petitioner, Mr. Pramode Singh, learned Senior Govt. Advocate and Mr. Chetia, learned Central Govt. Standing Counsel. As the petition was moved yesterday Mr. Chetia could not obtain necessary instructions.

We are of the view that the petitioner deserves some sympathy, and as such, we have to give suitable directions to enable her to go to Delhi for the purpose of seeking political asylum as stated in the petition.

It is, therefore, directed that after the petitioner is released at the end of the period of sentence, which is stated to be the 4th October, 1989, she may not be deported for a period of one month. During that period she may visit Delhi for making necessary arrangement. During her stay in Delhi, she shall report to the Parliament Street police station on the next day of her arrival and one-day prior to her departure from Delhi. To remain in this country for a period of one month from 4th October, 1989 she shall produce necessary sureties before the learned Chief Judicial Magistrate, Imphal to his satisfaction. If necessary learned Chief Judicial Magistrate, Imphal may enlarge this period of one month in view of the long vacation of this Court.

With the above directions the petition is disposed of.

Sd/-M. Sharma
Judge

Sd/- S. N. Phukan
Judge